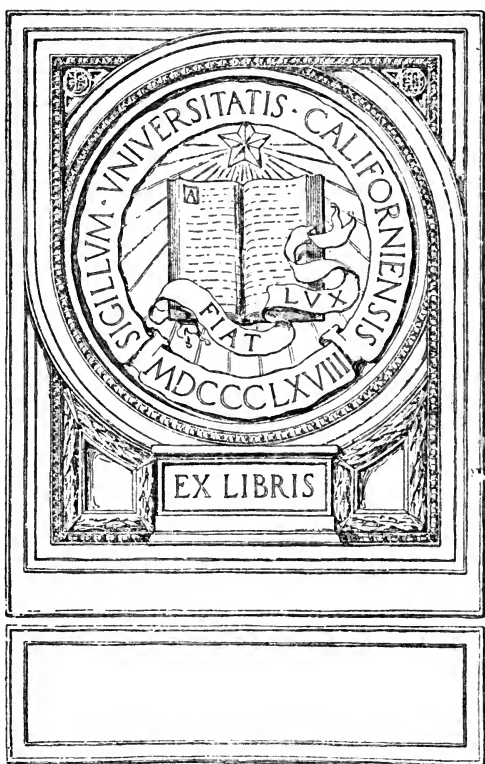


# HUMAN STERILIZATION

ITS SOCIAL AND  
LEGISLATIVE  
ASPECTS

BY EDWARD A. TOLSON





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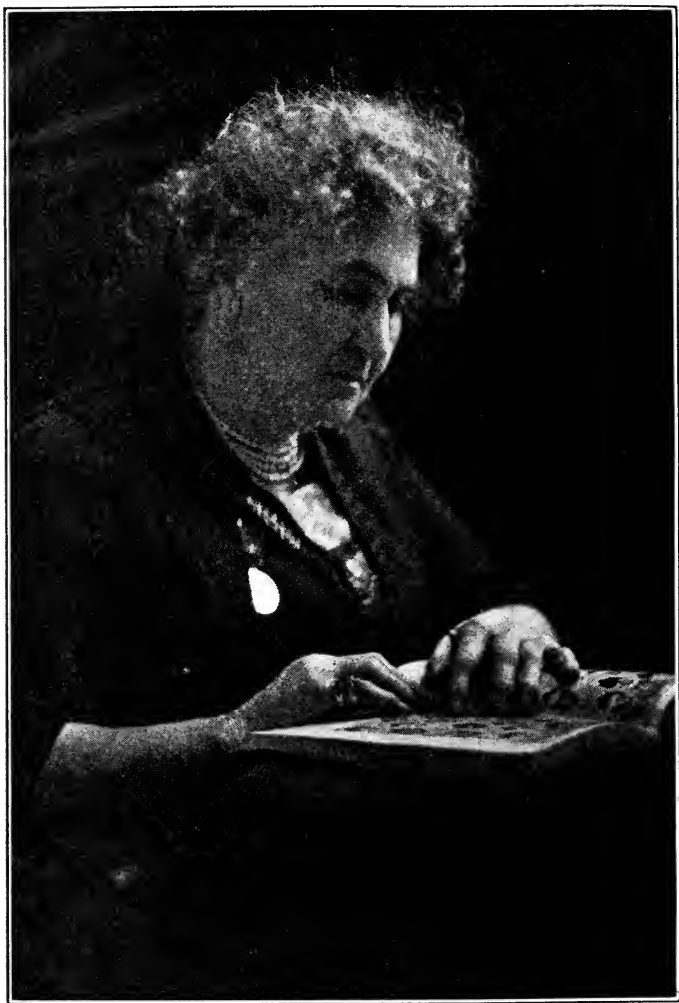
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DR. B. A. OWENS-ADAIR

# H U M A N STERILIZATION

IT'S SOCIAL AND  
LEGISLATIVE  
ASPECTS

*By*

B. A. OWENS-ADAIR, M. D.

*(University of Michigan, 1880)*

1922

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**M**Y BOOK is named Human Sterilization. What is it? Simply a remedy for degeneracy. Heredity, to my belief, is the directing force of all life. The purity of this source makes for good, impurity makes for evil. Environment may add polish, improvement; it cannot change the hereditary tendencies of the human being, the animal or the plant. But it may influence for the better or worse. Eugenics is the science of the improvement of the human race, of which Heredity is the determining factor.

My life's desire is to improve the human race by cutting off the vicious sources of degeneracy by the greatest humane remedy known today—Sterilization.

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Superintendent of Oregon State Institution for the Feeble-Minded

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# Foreword

By Dr. J. N. Smith

Superintendent of the Oregon State Institution for the Feeble-Minded

The subject of sterilization, of which these pages treat, and the study of which has been the life work of the author, is now attracting wide attention and a great deal of earnest thought by all of those who are interested in the betterment of the human race. When you think and know to a certainty that two out of every hundred children are born mentally deficient, and know that the law of heredity is the strongest law of nature and that the offspring of those so afflicted will be like the parent and when you take consideration more than half the expense of your criminal courts and nearly the same proportion of your divorce courts together with all the misery and suffering, both to those so afflicted and to all those who are in any way connected with them, it behooves us to ponder well this question and give it our serious consideration.

Dr. Adair is also the author of a bill for a mental and physical examination before marriage, that was submitted to the people last year and received a very flattering minority vote. The bill will be introduced again this session and is one of such great importance that it should not be overlooked. My experience in this institution for the last seven years has made me a firm believer in this mode of prevention of the birth of the unfit and of giving every child a right to be born physically and mentally fit.

December 5, 1922.

**METROPOLITAN**  
432 FOURTH AVENUE NEW YORK

Office of  
Theodore Roosevelt

January 26, 1917.

My dear Senator Farrell:

I approve of such a bill. *Soul for you!*

Sincerely yours,

*Theodore Roosevelt*

Hon. Robert S. Farrell,  
Senate Chamber,  
Salem, Ore.

The letter above reproduced leaves no question as to Colonel Roosevelt's approval of sterilization legislation. He refers to Dr. Owens-Adair's Sterilization bill introduced by Senator Farrell in 1917.



## INTRODUCTION

"In submitting this little publication to the public, it is with the desire, the hope and belief, that the ever watchful eye of our great commonwealth, will appreciate the immense value of this process for preventing disease and crime through propagation. In 1883 I said to the physician who was in charge of the Oregon Insane Asylum, that if the time ever came, that I might be permitted, I would then use my pen and my brain along these lines. Since then I have used my tongue many, many times, in season and out of season, and I have received in return many rebukes and much good advice, as to modesty, being a priceless gem which every woman should wear. But not until 1904 did the first opportunity come, when I could use my pen and I assure you I lost no time in sending off a communication to the Oregonian, and my delight at seeing it in print was beyond expression. To say that this publication shocked my family and many of my friends would be putting it mildly. I am older now and my tears do not lie so shallow (as mother said) as in my childhood days, and there is something in getting used to unpleasant things and yet, I am not innured, but I can go right on smiling just the same. To illustrate the trend of thought, only 7 years ago when I wrote my first communication to the Oregonian I received four letters all eulogizing and congratulating me on my bravery, etc., but the interesting part was, that those letters were all nameless. Who would think of addressing me today on this subject without signing his or her name; not one, no not one. The world is being educated along these lines and is seeking for the purification and betterment of humanity, which in time will be found and verified in the yet unborn children whose parent's blood shall be free from disease and crime. Through this publication I shall try to prove what I have been preaching for 30 years, that the power of transmission from parent to child, is a law which holds good through all life and dates back from the beginning of time, "Like begets like" from which there is no escaping."

The above was written as introduction to a sixty page pamphlet "Human Sterilization" in 1909 after Governor Chamberlain had vetoed by sterilization bill. I believe that the pamphlet played a large part in securing Oregon's sterilization law in 1917. I am hoping that the present volume of the same title prove as helpful in securing a federal law for the protection of our nation against the rapid increase of degeneracy.

In presenting the present volume to the public it is with the desire to show the trend of thought since 1907, especially in Oregon, along the lines of degeneracy, its causes, its effects, and its cure.

These must be found in the study of heredity, eugenics and sterilization as a remedial cure.

These are the great subjects with which the scientists are wrestling, and on which they are throwing their searchlights. The knowledge of the sources of degeneracy and the proper application for its prevention, means not only the life of our nation, but that of the world as well. So, we realize the greatness of the subject, which requires concentration, determination, and co-operation of thought and mind to overcome the resistance.

I am finding trouble in making up this book under different heads, due to the intimate relations of the subjects. Also, owing to the numerous contributions and their different modes of presentation. In order that my subject may be understood by the great masses with whom we must deal, it must be presented from many viewpoints. Therefore, being a true American, I have decided that each side shall have its say pro and con. As nearly as possible I have obtained names and dates to the various communications, although many worthy clippings have come to me without either. I believe that as a rule the opinions of many are worth far more than that of one, therefore, my views will be given along with those of many others, mostly in comment.

In all my writings I try to confine myself to the use of the most common and the simplest words. I once heard a professor say to his class that the "most charming writers are those who can present their subjects in the fewest and simplest words." It seems a fad with many writers to mystify their readers by the use of big and unintelligible words, especially by use of medical terms. It is certainly very annoying, if not disgusting, for a reader to feel that it is necessary to have a Webster or a medical dictionary at his elbow.

I contend the knowledge of degeneracy, its causes and cure, is the greatest problem that faces our nation today. And I believe our people are waking up to the reality that this most important issue must be met. Thousands are giving their time, energy and money freely to this work. May God help us to find the way.

I shall quote from many sources. Many eminent scientists have for 30 years been pointing out and trying to show that we are drifting to degeneracy, that we are going faster and faster, and unless we find a safe anchorage we shall soon follow those other great nations of whom we read. There are laws that govern all forms of life. Those laws that govern human life we must understand and obey if we live the life that God intended we should. The most essential things of life are love and purity of body and mind. The first step toward purification of our nation is to eradicate disease and degeneracy. For like the vicious weeds that infest our lovely garden, they must be cut out root and branch or they will soon

possess and destroy us. It is well known that the lower we descend the scale of all life, the greater tenacity to life, and the greater power of reproduction will we find. With this knowledge we can readily understand the wonderful dimensions of the subject with which we have to deal. It must and it will be done. The great engineer Goethals has said:

"I find that a gréat many people are afraid to try to do a big job of any kind, simply because it is big. Nothing is ever so hard as it seems to be. There is always a way out and commonly a very simple way. A big task can usually be reduced to small and fairly simple elements if only it is calmly and fearlessly attacked, and if one attacks with the firm feeling that whatever is in the way must be overcome, then it will be overcome. This is the rule that I personally apply to everything. I count only the difficulties overcome in making up the core of success."

America has never failed. She has set her mark high and the world will follow. Thousands of books are being published on the varying phases of this great subject. There are thousands of good men and women who are trying to find how to protect the unborn children that are to perpetuate our name and our country and perhaps that of the world.

In presenting this book I shall not attempt to convince the reader through long discussions and arguments. I shall in the briefest way give my opinions and comments on some of the various writings of which this book is composed. It is full of gems—many are in the rough, others are of great worth—from the earliest and latest writers on these subjects.

We may call this the New Patriotism—beautiful thought! Let us be loyal. By the protection of our unborn children through purification we can become the greatest country in the world.

## A NEW WORD

PORTLAND, February 15, 1884.

To the Editor of the Oregonian:

I see by your paper of yesterday and this morning that Mrs. Dr. B. A. Owens will lecture in the W. C. T. U. hall tonight on "Heredity." I must say I do not know what this word means, and think there are a great many in like ignorance; and knowing The Oregonian is supposed to know everything, we ask—for we are many—from whence springs this word, and where is it to be found? Is it something new? Is it English or not?

INQUIRER.

The word has no place in old or middle English, but is much used by modern writers on physiology and kindred sciences. It was unknown by lexicographers till recently, but may be found in the supplement to the last edition of Webster, where it is defined thus: "Heredity—The transmission of the physical and psychical qualities of parents to their offspring; the biological law by which living beings tend to repeat themselves in their descendants."

## CHAPTER I.

DISCUSSION OF STERILIZATION, PRO AND CON, AS A  
SOCIAL REMEDY. OBJECTIONS ANSWERED.

In my consideration of the subject of sterilization I hold the following statements to be true and generally accepted by thoughtful people as well as social workers and scientific investigators.

1. That heredity plays a most important part in the transmission of feeble-mindedness, imbecility, idiocy, epilepsy, insanity, and criminal tendencies.

2. That the increase of defectives and degenerates to be supported by normal people is an economic and social problem which demands solution.

3. That colonization of the unfit and feeble-minded cannot alone solve the problem.

4. That it is impossible to preclude all possibility of sexual intercourse among these classes.

Therefore, legal restriction upon the procreation by the unfit is the only practicable remedy. This restriction to be applied only in cases where treatment and environment will not cure the defect.

I believe that for the betterment of the body social it is a valid exercise of the police power to sterilize people with anti-social traits. The right of society to protect itself "from extinction or its members from a fate worse than death" is paramount to any other.

After years of thought and earnest consideration of every phase of the subject, I am of the opinion that the aspects of this question of procreation by the unfit which must be taken into consideration are social, economic, medical, religious and legal. By the "unfit," for the purposes of this discussion, I refer to the degenerates and mental defectives.

**Mental Defects and ~~Tendency to Crime Are Inheritable~~**

I shall not attempt a discussion of the laws of heredity but shall assume an acceptance of them. That mental defects and criminal tendencies are transmissible has been forcibly established by scientific investigators. There is a great quantity of statistical evidence proving this fact. Studies have been made of the genealogies of many different families, good and bad, and the results given the world. Among the most familiar examples are the "Jukes" and the "Kallikaks".

### The Jukes

Mr. Richard Dugdale collected and traced the genealogy of this family. Beginning with Max Jukes in 1720, who was a shiftless vagabond and a drunkard, he traces about 1,200 defectives. Of the 1,200 defectives Mr. Dugdale has traced the record of 700. Of these, 250 have received public support, 140 were criminals, serving a total of 140 years in prison, and most of the 700 were licentious and nervously diseased.

This family of idiots was a menace and a burden to society and a burden to themselves. Mr. Dugdale's records were made in 1874 and as late as 1915 we have heard of another member of this notorious family being hung in Connecticut.

### The Kallikaks

Dr. Henry Herbert Goddard has given us the story of the Kallikak family. There are two branches of this family—a good and a bad one. They originate from the same father with a defective mother for the one branch and a normal mother for the other.

Martin Kallikak, Sr., was an orphan at fifteen years of age and grew up without parental oversight. At the beginning of the Revolutionary war he enlisted in the army. At a tavern frequented by soldiers he met a feeble-minded girl. By her he became the father of a feeble-minded son who was called Martin Kallikak, Jr. From this feeble-minded son Dr. Goddard found 480 descendants. Of these he has conclusive proof of the feeble-mindedness of 143, while ~~only 46~~ were normal. The rest are unknown or doubtful. Among those traced there were 36 born illegitimately; there were 33 sexually immoral persons; 24 confirmed alcoholics; three epileptics; three criminals; eight kept houses of ill-fame. From the marriages of these people other descendants were traced until there were recorded and charted 1,146 individuals. They were all of about the same type.

After leaving the army Martin Kallikak, Sr. married a respectable girl of good family and from this marriage Dr. Goddard has traced in direct descent 496 individuals, who are of radically different character. All of them have been normal and useful people. They have been prominent in the political, economic, and social life of the communities in which they have lived.

These families were traced for six generations and lived in practically the same environment.

The trail of feeble-minded is inevitably transmissible. I know of the case of a feeble-minded woman in a state institution who has with her there her four children, not one of whom has sense enough to feed itself.

I have, also, recently learned of a case in which a family of six, including the father and mother and four children, were before the Court of Domestic Relations in Multnomah County, Oregon, in which the Judge proposed sending them all to the feeble-minded institution and it was suggested that the State build them a small separate house in order that they might be together as they were so fond of each other! With a sterilization law in operation the father and mother might live together in peace—but could we risk further offspring from these defectives with the State already caring for them and four of their feeble-minded children?

Feeble-mindedness may in any generation turn into idiocy, insanity, or criminality.

It has also been established that though a defect may not show in every member of a family, that the normal one or more still carries the defect in his blood and may give a subnormal child even more defective than its defective ancestors. I have personally known many such instances. In the early days in the West I knew what was then called "a simple-minded" man who married a normal girl of fourteen. They had a normal child, a girl. That girl married a normal man and had eight children, all more or less defective, except one girl who appeared to be normal. She married a normal man. They had one child far more feeble-minded than its great grandfather. That child is a ward of the state. The eugenicists have definitely established theories bearing this out. I give this specific instance as I think it may be more impressive than general statements of the principle involved. There are many other cases just as convincing as this one.

The following letter is a "case in point" and is self explanatory:

#### MULTNOMAH COUNTY HEALTH ASSOCIATION

January 31, 1921.

Dr. J. N. Smith,  
Supt. State Institution for Feeble Minded,  
Salem, Oregon.

Dear Dr. Smith:

This last week we sent to you, John Jones, from Multnomah County. I should like to explain the family situation as this family has been one of my biggest problems this past year.

The boy's father is Richard Jones, his papers have been sent to you. He has never been given the mental test, but I should say will average about 10 years old. His wife, Mrs. Jane Doe Jones, age 40 years, is one of the feeble-minded Doe family well known in Lents, Oregon. Her mental test rates her 9 years, 5 months old. The children are as follows:

Tom, age 21 years, epileptic, is the most helpless of them all, and because he frightens people was sent by his parents to work in the mountains cutting wood. Since he has been practically impossible to reach, I have made no attempt as yet to have him examined.

Pearl, age 17 years 8 months old, tests 9 years 8 months and is plainly an institutional case; has already given some trouble as a sex offender.

John, age 16 years, whom you have now in this institution.

Emma, age 12 years, and Rachel, age 11 years, are both sub-normal but are making fair progress in school, and if properly fed, I think can care for themselves later. The next four children died in infancy from lack of care and malnutrition. The next child is George, 18 months old, and it was impossible to have an accurate mental test made at his age, but he is plainly sub-normal.

This family has lived in Multnomah County for the last 20 years, part of the time in the mountains living chiefly on squirrels and potatoes. Dr. \_\_\_\_\_ of Gresham, has known them and looked after Mrs. Jones when the babies came. He has done all possible in frightening them to prevent more children, but when I came into the County as the Public Health Nurse, he asked me to look after this family that he was through with them. The father's occupation is wood cutting and clearing land. I find men have given him work more out of sympathy for the half starved children than because he will do much for them, and what he makes even so is not sufficient to feed all eight.

I have tried consistently to improve home conditions and have given nursing care to the family, but they have not intelligence enough to do as asked. The children are sick the greater share of the time. Home conditions, in spite of the fact that we have given them clean clothing and bedding, are unspeakable.

I was notified today by the Juvenile Court that the two girls not yet given mental tests must be examined and the complete family history filed before the father can be sent to the institution. In my opinion, the father, mother, oldest girl, Pearl, the oldest boy, Tom, and John should be in the institution for the feeble-minded. The two little girls and baby should be given institutional care here to see what environment will do. I have referred the family to the Public Welfare Bureau, and they agree with me that this is the only thing to be done.

I find related families about the county, some of an equal grade, and some as the Workman family of Troutdale, who have one son in the asylum, and two boys and one girl in Troutdale, all lower types than this Jones family; also the Brown family, step parents of Richard Jones at Corbett, who are rightly called by the neighbors "half wits." As I have time I am collecting data on these people and dating them for mental examination by Dr. Kohs.

Please give me your opinion on what is the best procedure to take in caring for these helpless and prolific families. What is the best that can be done with the Jones family at this time?

Very sincerely,

(Signed) RUTH B. YOUNG.

### Our Burden Is Increasing

The public should inform itself more fully upon the amazing fertility of the degenerates. They procreate at an alarming rate. Statistics show that they increase much more rapidly than normal people. In spite of the growth and expansion of hospitals, insane asylums, and feeble-minded institutions, the increase in numbers to occupy them grows faster than the accommodations.

In 1921 it was estimated that there were in the United States: 42 institutions for the feeble-minded, 115 schools for the deaf and



blind, 350 hospitals for the insane, 1,200 refuge homes, 1,300 jails and prisons, 1,500 hospitals, 2,500 almshouses, 23,000 juvenile delinquents in institutions, 100,000 blind, 100,000 criminals, 100,000 deaf and dumb, 100,000 paupers in almshouses, 300,000 insane and feeble-minded, and that two-thirds of these defectives were parents of defective children. (Taken from "Necessity for Sterilization," by Paul E. Bowers, M. S., M. D. in Jour. of Delinquency, v. 6, No. 5, Sept. 1921).

We spend millions providing a proper environment for these unfortunate and do not lift our hands to get at the cause and stop the propagation of their kind. *Very hard*

In the end it will not be the social workers, nor the ministers, nor the doctors, nor the lawyers, who will bring about the needed reform, but it will be the taxpayers who bear the burden of supporting the degenerates.

I am fully aware that the reduction of taxes is not the highest aim in this matter but feel that it is the appeal that will bring the earliest response.

### Colonization

Colonization alone has proven ineffectual in preventing procreation by defectives and degenerates. It is impossible to keep under public restraint for life all defectives and degenerates. The subjects are of necessity restrained only intermittently and the males go out into the world to beget their like and the females too often return pregnant or with defective offspring. They are notoriously the prey of unscrupulous men.

The following cases furnished me by a prominent social worker in Oregon will serve to show what we have to meet.

#### A Few Cases of Feeble Minded Girls Who Have Become Pregnant

Mary—About 30 years old, very defective mentally, cannot learn to read or write. Has had 1 child, a girl, who is now 10 years old. This child is in the 2nd A at school, and cannot get any further. Mary was a cripple and a pauper, and now is in the Feeble Minded Home at Salem. She comes from a family of degenerates.

Angie—Was about 24 years old when she got pregnant and her child was a monstrosity. Angie belongs to a family of five, four of whom are feeble minded, and the fifth, a son, is apparently normal. Two of the four girls have been pregnant—Angie and Grace—and are now both at the Feeble Minded Home at Salem. The other two girls are working in Portland. Angie was a ward of the Boys and Girls Society, and was put out to work, and became pregnant.

Grace—(Sister to Angie). Was 35 years old when became pregnant. Baby is now year old and is in the Baby Home. Grace is now in Salem.

Velma—18 years old. Her child lived only three days. Velma is a most repulsive degenerate. She was put in the Feeble Minded Home and was here for a short time, but has been allowed to leave and whereabouts unknown.

Maud—Insane and pregnant. Was 18 years old when her people unloaded her on the Maternity Hospital, but patient was so insane that her people came and got her and took her to her home again.

Becky—27 years old. Described as "not bright." Was married and had three legitimate children, then one illegitimate child, and then married again later and is wandering around town now.

Frankie—Nobody could find out how old she was. Very defective mentally. Was brought to the Maternity Home but the suspected pregnancy did not materialize and she was taken home again to work.

Ella—Feeble minded, staggering gait. The baby was born dead. Her brother was the father of the child. Don't know where she is now.

Paulina—16 years. Sweet, lovable disposition. Mind like a child of 6 years old. Friends of the mother took the girl away from the hospital before she was confined and gave her a home for the time. Mother was a working woman.

Leila—High grade defective, cannot read or write. Is a cripple from infantile paralysis. Her mother bribed a man to marry Leila, but later he returned her to her mother. Then she became pregnant. She was committed to the Feeble Minded Home and stayed there for a while, but was allowed to go home to her mother's insistence. She declares she will get pregnant again.

Etoila—16 years old, incorrigible. Sexual perversions of the worst type, criminal tendencies. Went thru the different institutions of the State and then allowed to go home and married. Had one child in 1913. Is pregnant again now.

Hilda—21 years. Paranoiac. Kept at the asylum for three years and discharged as all right. Child was born in 1914. Is now at Salem again in asylum.

Mrs. Johns—Moron. Had one illegitimate child, then married a feeble-minded man and had two legitimate children. Then husband died and she got pregnant again and had an illegitimate child.

Elizabeth—21 years old. High grade defective. Her father was sentenced to 24 years in the penitentiary for crimes on his own children and was paroled in one year. Her child now is 17 months old. She was married lately to a man with two children, and her father is living with them. She was never sent to the Feeble Minded Home because they knew she would be paroled out at once. It seems that the authorities at the Feeble Minded Home cannot hold a high-grade defective, if anyone that can support them wants to undertake their care.

Bertha—"Mentally Dull." Been at the Good Shepherd for 11 years. Was allowed to go away for a few weeks and became pregnant. She had twins; both died later. Her uncle was the father of her children. She is kept at the Good Shepherd, as she is a good worker.

Laura M.—28 years old. Mentally defective, malicious. Had one illegitimate child one year old, now in the Baby Home. Is pregnant again now. Was put in a family of a man and three children to do the work and became pregnant there. Is at present at the Multnomah County Farm.

Dorothy—19 years old. Was an inmate of the Home for Feeble Minded for six years, then went home for the Passover and got pregnant. Child was born in 1915; was defective physically and died later.

(Note: I personally know this case. The girl is one of eleven children all of whom are defective. The following year the parents came to a social worker and asked that she use her influence to get the girl home for Passover. The social worker asked them if they remembered what happened the previous year; they looked at each other and the mother said, "Oh, we had forgotten about that!")

Besides the dangers with which home-going is fraught, in spite of the strictest oversight and the most careful safeguarding of the institutions, the sexual weakness and general irresponsibility of the degenerate classes result in the all too frequent institutional "scandals."

The institutions for the feeble-minded cannot be thought of as schools in which to make normal people out of defectives. To attempt by means of education to render the feeble-minded fit for return to society, or fit for the responsibilities of life, is wasted effort. There may be improvement in some, but even when they are able to pick up a bit of knowledge or learn a little from books, there is no such thing as developing stability of character or definiteness of purpose.

There is no doubt that feeble-mindedness is congenital, organic, and incurable, as well as transmissible.

Degeneracy is the result of something utterly lacking in the mental or moral make-up of an individual and not something to be cured by prayer, by any method of medical treatment, system of education, by segregation, or by giving them wholesome and normal environs.

These unfortunates are to be pitied and cared for but for the good of the race they must not be allowed to people the earth. That they are receiving good care is proved by the fact that the duration of life of the defectives and degenerates has greatly increased in the last two decades since a new conscience in these matters was born to the world.

### Sterilization as a Social Remedy

Sterilization, thus far, is the only method by which the river of life may be purified.

### Vasectomy and Salpingectomy

Vasectomy is a very simple operation upon a male which may be performed in three or four minutes' time. It consists of ligating the spermatic tubes, or vas deferens. It is what is known as an "office operation" and causes the subject no inconvenience. He may return immediately to his work. It causes no mental or nervous disturbance and yet makes it impossible to procreate. It is claimed by some that there is a salutary effect upon the subject noticeable after the operation, and by others that there is absolutely no change.

No one claims that there are any harmful effects and it does not interfere with the functioning of the sex organs.

The argument most frequently advanced against vasectomy is that since it does not interfere with sexual intercourse it will make subjects more licentious since the danger of child bearing is removed. The irresponsible class of people coming within the purview of a sterilization law are not deterred from sexual indulgence by any fear of the consequences of their acts. Besides their acts are not of first importance. It is their unborn children who alarm us.

The operation upon women, salpingectomy, is almost as simple as vasectomy. It consists in ligating the fallopian tubes, and is just as effectual in sterilizing as with the male.

I fully realize that the operation known as vasectomy or salpingectomy, as the case may be, as applied to the feeble-minded, idiots, imbeciles, and the insane, in order to protect society against the unborn generations, presents one phase of the subject, while castration of sexual perverts and habitual criminals, in order to protect society against their indecencies and crimes, presents a different aspect legally and morally. I do not think, however, that castration, even if it were thought of as a punishment, is a punishment disproportionate to the crimes of rapists and sodomists. It is not to be used as a punishment but to save society and to save the degenerates from themselves.

My doctrine is that we must stop the birth of the potential degenerates and defectives, no difference whose personal rights may be invaded, to rid society of the ever increasing burden, and the ever increasing danger of destruction. Rome fell through degeneracy; the social philosophers are pointing out that America is in danger unless she awakens to the gravity of the situation.

### Castration of Criminals

After talking with various prison officials and hearing them speak enthusiastically of the wonderful improvement wrought in bad men after castration, I feel strongly that a prisoner's right to show that he is not of a class whose offspring would be a menace or burden must be adequately safeguarded. For the use of the sterilization law which permits castration makes prison discipline temptingly easy.

But think what a relief castration would be to the criminal who is sentenced to life imprisonment with no natural outlet for the sex urge. Remember that such an individual would probably not have proper self control. And to the sexual pervert whose inability to control that important function has brought him to crime or insanity. I heard of a case the other day which will serve to illustrate.

It was the case of a man whose appearance was sufficiently

decent to enable him to secure positions teaching school, and to inspire normal people with the utmost confidence. All his life he had nursed in his guilty and miserable heart a secret sin. His sin was an uncontrollable desire for small girls as his sexual indulgence. From time to time there had been rumors and insinuations in various places where he had lived, and at least one definite accusation, but he had managed to cheat justice and to pose as a wronged man. Finally on a Sunday morning he went to the very door of a church. There was a Sunday school membership contest on among the children and he coaxed two little girls, aged eight and nine, to go with him to get a prospective member. In their innocence they went and when they returned they were mutilated and outraged physically and burned to the soul with this fiend's attacks.

Who is there to arise and show cause why this man would not be better for castration? He confessed his crime when apprehended and told how for years he had fought this desire of a perverted imagination, probably caused by perverted mental images built up since childhood, and how after a losing battle he had been wont to go home and pray God for forgiveness and strength to resist in the future. I do not doubt the truth of this for such a man would naturally seek a vicarious salvation as he knew his own weak and defective will. I know, too, that it was an inherited taint in his blood that made him a prey to such unspeakable imaginings. God help his progeny!

This is one case out of thousands of the same kind to be found upon our prison records.

A few days ago I visited a state penitentiary and was given the privilege of talking to one of the men who had been castrated. He had consented to the operation and said it was the best thing that ever happened to him. He was thirty eight years old and had been in trouble since he was seventeen, having spent part of his boyhood in the Reform school and many years in and out of prisons during manhood. He was a violent man and spent at least half his time in solitary confinement and dark cells. He is now able to control himself in every way and mixes freely with the other inmates of the prison.

Our present prison system is that of congregating and locking together large groups of criminals—violent, passionate men, whose lack of self control necessitates their being placed under public restraint. We do nothing to curb or cure their unbridled licentiousness, but permit them to indulge themselves in crime as far as it is possible in such an institution. And in spite of guards and strict oversight there are opportunities for secret sins and indulgences.

I do not believe it should be necessary to secure the consent of

the sexual perverts or the rapists, before castrating. Are we to worship the organs of sex to such an extent that we foster and maintain by taxation a small hell for these people in State prisons?

That castration causes a severe mental and nervous disturbance is claimed by some authorities and denied by others. But even if there is a somewhat serious disturbance, the end gained is surely worth the risk. That there is a change in the enuuch is not important when the organs of reproduction made him a brute and a degenerate. There is no doubt in my mind that castration is the remedy for those who have committed revolting sexual crimes or are sexually depraved and incurable.

### Sterilization of the Feeble-Minded and the Insane

As I have said before, I am interested in sterilization as a preventive measure to stop the procreation by the unfit, not as a deterrent from crime, nor as a punishment. It may also be useful as a remedy to cure certain cases of sexual perversion.

It is true that most feeble-minded persons are sexually excitable. This is also true of the insane, even when perversion is not the direct cause of their mental downfall. It is interesting to note in this connection that, contrary to the popular idea, there are as many female sexual perverts as there are male.

For the hopeless and incurable insane, the feeble-minded, the idiots, and imbeciles, who are sexual perverts, I would advocate that for their relief they be castrated. Given a weak will and overpoweringly strong sexual tendencies by tainted blood, there is no hope for these poor victims of unscientific breeding until the sex urge is removed by castration. I personally know of a young man sent to the insane asylum as a result of continuous masturbation practiced since childhood. At the request of his mother, a fine woman, showing no signs of a degenerate strain, the son was castrated. He was so much improved mentally after the operation that a short time after the operation he was paroled to the care of his mother. Two years later she reported that he was earning a salary of \$1800 a year and had married an unsexed girl. Can anyone deny the great benefit castration was to this young man and his mother, as well as relieving the taxpayer of the burden of his support for heaven knows how many years.

In such cases as this, and many other cases, where the danger of procreation is removed, it would be possible to use the state institutions as clearing houses and to send back to their families many who might be self supporting, resulting in a considerable reduction

in the up-keep of these institutions. By the sterilization of all the unfit I have no doubt there would be an appreciable reduction in the cost of maintenance now, and some time in future decades our descendants would be free from the burden of supporting the great "aristocracy" of degenerates and defectives.

I personally believe that every person, male or female, who is a potential parent and has been committed to a state institution as insane, epileptic, feeble-minded, idiotic, or for criminality, should be sterilized at least by vasectomy or salpingectomy. It is most important that this should be done before releasing or paroling subjects. The anti-social traits which have made it impossible for these classes to conform to the rules of living set by normal people, make it undesirable for them to procreate. That the taint of degeneracy is transmissible is beyond the pale of controversy.

### ✓ Religious Objections

The religious objections to sterilization seem to be principally upon the basis of the existence of a soul entirely separate from the intellect. To interfere with the reproductive organs of an individual is regarded as thwarting the physical manifestation of a soul which God intended to be born into this world.

It is not my desire to enter into a discussion of this phase of the subject but merely to state the grounds upon which I have heard religious objections made. However, it seems to me that the all powerful God would be quite as capable of taking care of an unborn soul as he would have been had it been born. Surely mere man cannot thwart His purpose with a soul, born or unborn. There is no proof that the individual whose organs are interfered with would have children, as it seems a part of God's plan that many should not.

Another religious objection comes from those who argue that whatever is, is right. That these defectives are a result of some force put into motion by human beings and, therefore, inevitable and to be endured as they are. The following (taken from the contributor's column of the Morning Oregonian, Portland) is a sample of the theories advanced by these thinkers:

"... if we place intellect above spirituality, if we care not whom we crush to gain the individual goal, our world reaps accordingly. We thereby open avenues for shades of defectives and pervers from the cosmic depths to haunt the more volatile planes within the earth's atmosphere and sooner or later they must express and manifest themselves in our midst, because, unconsciously, perhaps, we have made it possible for them to belong here."

I will leave the reader to think this out for himself and to wrestle

with the cosmic depths and volatile planes. I confess it is somewhat obscure to me.

To those sects which offer prayer as a cure for all ills and evils, I commend for their earnest consideration the feeble-minded institutions and the insane asylums of the world. Let them not delay for we are headed for destruction unless something is done.



## CHAPTER II.

### LEGAL ASPECT OF STERILIZATION

I have carefully read the opinions of the Courts which have passed upon the validity of the sterilization laws of the different states. Also, other protests against the trend toward legislation of this nature by some of the most brilliant exponents of the legal profession. I find the legal objections resolve themselves into the following:

#### Constitutional Objections

1. If applied as a punishment, it violates the federal and state constitutions in that it is cruel, or inhuman, or unusual punishment.
2. When it applies only to persons confined in state institutions or under public treatment, it violates the state and federal constitutions in that it is class legislation and denies equal protection of the laws.
3. When an opportunity for a hearing and defense is not provided, it violates those sections of the state and federal constitutions which provide that no person shall be deprived of life, liberty or property without due process of law.
4. That it violates that section of the federal constitution which provides that no state shall pass a bill of attainder.
5. That it violates those sections of the state and federal constitutions which provide that no ex post facto law shall be passed.

Too often the overzealous lawyers in their arguments and opinions presume to discuss the pro and con of the scientific theories upon which sterilization legislation is based. The Courts are not to question the wisdom of the legislatures in accepting as a fact the result of scientific investigation tending to prove that idiocy, imbecility, insanity, and criminality are hereditary and congenital.

It is to be remarked in this connection that in a question of insanity the Court accepts the evidence of an insane strain in other members of a family as proof against the person on trial. Then, should it not accept the evidence that a degenerate will transmit at least some degenerate qualities to his offspring? There may not be a criminal strain but there is surely an inherited deficiency in moral qualities that produces defectives and degenerates.

Also, it is not for the Courts to disturb the will of the law making body in the matter of fixing penalties except in extreme cases

where the punishment provided is inhuman or barbarous. However, there are only two states which have provided sterilization purely as a punishment, and in these instances it was provided for crimes which are infamous, heinous, and revolting. For crimes of this nature there have been jurisdictions which have provided the death penalty. (33 Cyc 1518).

### Cruel, Unusual or Inhuman Punishment.

The federal prohibition against the infliction of cruel and inhuman punishments applies to the United States and its courts, but practically all the states have included similar inhibitions in their organic law.

This aspect of the question has been discussed in practically all the Court decisions on the subject. This objection is applicable only in those cases in which sterilization is used as a punishment. In Nevada and Washington the motives were purely punitive and in some other states the law has been punitive in cases of certain sex offenders and recidivists, but, generally, the motives for sterilization legislation have been purely eugenical and therapeutic.

That the operation known as vasectomy is neither cruel, painful, nor even inconvenient, has been offered in testimony over and over again, and the details of the operation are given elsewhere in this book. It not only is not cruel, but it is a benign remedy protecting the subject as well as society—protecting him from the greatest sin there is against nature, that of bringing into the world a child mentally or morally defective. It is not claimed that sterilization by vasectomy will act as a deterrent from crime, but it will prevent procreation by the unfit, which is the sole purpose of such a law. If it has any effect at all upon the subject it is a beneficial one.

Does anyone deny that there are men and women in the world who should not beget children? Then when the legislative body, after consideration of the need for preventing procreation by the unfit, passes such a law for the protection of society, is it for the legal hairsplitters to say it shall not be so? It is not the function of the Court to pass upon the principle involved. Then, is it not tyranny upon their part to make it impossible for the law making body of a state to regulate the matter because of their personal resentment of interference with the sacred organs of sex?

There will, of course, be as many opinions of what constitutes cruel and inhuman punishment as there are judges in the United States to pass upon the question.

One decision was made principally upon the fact that the punishment was "unusual." The constitution in this state (Nevada) provided against cruel or unusual punishment and the Court held that

"the purpose was to forbid newly devised as well as cruel punishments." This law especially prohibited sterilization by castration so too much stress could not be laid upon its cruelty. As the words "cruel" and "unusual" were used disjunctively the decision rested strongly upon the "unusual." Would God that the crimes of rape and sodomy might be more unusual in that state! 112

But still the Courts may thwart the legislatures and stumble along in the rearguard of progress.

### **Class Legislation**

The class legislation objection is based upon the idea that making certain classes who are confined within state institutions subject to sterilization, while people of the same class who are outside state institutions are immune, violates the state and federal constitutions which provide that all citizens of a state shall have equal protection of the laws. There are long and learned arguments and many cases cited to prove that such a subdivision of a class is artificial and "arbitrary" and unconstitutional.

Legislation affecting persons under public restraint and not those outside would seem to be a reasonable distinction and based upon a natural principle of public policy, and, therefore, should be sustained as a reasonable exercise of the police power.

To the layman it would appear that persons confined in state institutions are subjected to a number of things for their own good and to promote the welfare of the community which persons outside state institutions escape. Confinement of one's person in a state institution might even be considered as an invasion of his rights.

However, it is quite possible to side-step the wily Justinians on this point by making all the people of the state included in the classes designated as unfit for procreation come within the purview of the law, whether in state institutions or outside them.

### **Life, Liberty and Pursuit of Happiness**

It is argued that the right to have children is analogous to a person's right to live, to have liberty, and to acquire property. In answer to this I will quote:

"The natural right to life, liberty and the pursuit of happiness is not an absolute right. It must yield whenever the concession is demanded by the welfare, health, or prosperity of the state. The individual must sacrifice his particular interest or desire, if the sacrifice is a necessary one, in order that organized society as a whole

shall be benefited." (People vs. Warden of City Prison 39 N. E. Rep. 686).

The person who has been sterilized is just as capable of the pursuit of happiness as the many happy and useful normal people who do not have children. Or those who have been sterilized as a medical necessity.

"I have much doubt whether the state or condition called 'happiness' in the Constitution or the state, condition, or occupation here described as the 'pursuit of happiness' is capable of judicial ascertainment or identification. This process would seem to be necessary before the court could determine whether a statute impinges against or encroaches upon such a state or condition. It is, however, quite unnecessary to determine this question here, for assuming for arguments sake, that the vague generalizations quoted does guarantee to the citizen certain rights which the legislature may not by statute take away, still the exercise of all constitutional rights is subject to reasonable regulation in the public interest under the so-called police power of the state." Peterson vs. Widule (157 Wis. 641, 52 L. R. A. N. S. 778).

### Personal Rights

(The objection of the invasion of personal rights is the ground most lawyers stand upon.) Yet, for the protection of the state against the birth of undesirable children the legislatures of many states prohibit the marriage of white persons and negroes; they have also prohibited the marriage of epileptics under the age of forty-five. These laws have been upheld by the Courts. (Lonas vs. State 2 Heisk (Tenn.) 287. State vs. Gibson 36 Ind. 389. Gould vs. Gould 78 Conn. 242). Courts have also upheld the right of the legislature to limit the hours of labor for women on the grounds that an overworked female population makes for poor children and undesirable citizens. "As healthy mothers are essential to vigorous offspring, the physical well-being of woman is an object of public interest." (Muller vs. Oregon 85 Pac. 855).

There might also be mentioned the laws of various states regulating the marriage of cousins, which have for their foundation the prevention of undesirable children.

The legal brethren are sometimes a little hazy as to whether the so-called violation of the constitution is a deprivation of life or liberty but they usually succeed in talking themselves into a compromise between the two with "property" thrown in for good measure.

### **Due Process of Law and Delegation of Authority to Boards**

It has been broadly stated that due process of law "requires an orderly proceeding, adapted to the nature of the case, in which the citizen has an opportunity to be heard, and to defend, enforce and protect his rights." (6 R. C. L. 446).

It is not advocated by the friends of sterilization legislation that a subject shall not have his right of process of law fully protected. It would seem well within the power of the legislature to delegate to the Board of Health, Board of Eugenics, or other competent board, the right to pass upon these cases. It is not uncommon to give administrative boards such powers—indeed some state commissions sit as courts and hold important hearings involving the welfare of the public. Notably among these are the public service commissions of various states.

In railing against this authority delegated to boards and commissions the lawyers frequently start with the false assumption that the members of these boards will be irresponsible, ignorant, or incompetent, if not positively brutal and vicious. Are we not from necessity compelled to leave the administration of our laws to mere men? By jury trial we increase the number but do not improve the qualifications of these same creatures and then ask them to pass life imprisonment or hanging to a fellow being. In every opinion touching human life there is a possibility of difference.

Delegation of such powers to boards or commissions has been generally sustained by courts. Regarding due process of law in administrative proceedings Black's Constitutional Law says:

"... the constitutional requirement is satisfied by giving him a full and fair opportunity to be heard in his own behalf and in defense of his rights or property, either in the proceeding before the board or officer, or else on an appeal to the courts, to which he shall be entitled as of right and without onerous restrictions or conditions."

### **Some General Recommendations as to Due Process**

To avoid the possibility of objection on the ground that the subject is passed upon by an administrative board without opportunity to prove himself not of the class designated in the statute, it is advisable to grant the subject the right of a hearing before the board passing upon him, and to carefully safeguard his rights by providing for an appeal to the courts of the state, where he may have an opportunity to have his day in court, to face his accusers, and have a jury trial.

There must also be provision for the next of kin, guardians, etc.,

to act for those prevented from making such objections and appeal because of physical disability, as in the case of idiots or insane persons.

If the subject does not have funds the state should appoint counsel.

As this class of legal action does not fall naturally into either of the classes designated as civil and criminal, but is to be regarded as a special proceeding, the general rules of procedure provided in the state statutes are sure to be deemed inapplicable; therefore, every step of court procedure should be carefully stipulated in the law.

### Bill of Attainder

A bill of attainder is a legislative act which inflicts punishment against designated persons without a judicial trial. The above recommendations as to the legal procedure would remove the possibility of this objection arising. This was one of the grounds of unconstitutionality in the decision against the second Iowa statute by the Federal Court. The Court applied it to the cases of certain felons and sex offenders against whom the law was mandatory and punitive.

### Ex Post Facto Law

An ex post facto law applies only to criminal proceedings. It is a law which makes an action done before the passing of the law, and which was innocent when done, criminal, and punishes such action; or, which aggravates a crime, or makes it greater than when it was committed; or, which alters the rules of evidence, and receives less or different testimony than the law required at the time of the commission of the offense, in order to convict the offender.

There has been no decision against a sterilization law upon this ground, but it has been offered in argument by the lawyers, and in one decision (Davis v. Berry 216 Fed. Rep. 413 Iowa) it was held that the law in question was NOT ex post facto. In this case the Attorney General of the state had given out an opinion that the law was an ex post facto one. The Court said:

"He is not being subjected to the operation for that which was done prior to the enactment of the statute, but because he voluntarily brings himself within a class covered by the statute."

### Miscellaneous Objections

In reading the opinions of the Courts and objections of various lawyers I was struck with the frequency with which they protested

the measure because it will not **entirely** eradicate degeneracy and crime. Surely it is not to be cast aside for this reason if it is a step in the right direction.

It is not claimed that by sterilization and prevention of procreation by the unfit all crime and degeneracy will cease.

There was one lawyer who objected to sterilization of idiots and imbeciles because while he thought probably they might transmit the blemish, he had no proof that it would be inevitable.

One of the arguments I have often heard against the inevitability of the transmission of a taint of degeneracy and the fact that like begets like, is that the colonies (notably Australia) which have been settled by criminals, have become states of good, law-abiding people. This is, of course, no argument at all against the functioning of the laws of heredity, for these outlaw colonists were undoubtedly very largely guilty of statutory crimes, involving, perhaps, absolutely no degree of moral turpitude.

It is also a habit among the lawyers to offer as an argument that sterilization will not stop crime, the fact that Henry VIII hung 72,000 persons for the crime of vagrancy alone, and yet he did not stamp out crime. It is generally accepted that Henry VIII was unjust, malicious, and a degenerate himself. That he condemned innocent people and condoned criminality is well known. In many cases he condemned for statutory crimes, where there was no immorality. If Henry VIII had sterilized 72,000 idiots and congenital criminals it would have been a case in point and a story with a different ending.

Charles A. Boston in his "Protest Against Sterilization" in the Journal of Crime and Criminology says:

"If a legislature can constitutionally sterilize a criminal or an insane person, it can constitutionally sterilize any other class of persons whom it deems it desirable for similar reasons to sterilize. Using an illustration of a class, which I have already used, it could sterilize multi-millionaires, whom it might consider 'undesirable citizens' or 'malefactors of great wealth' for it might declare in a preamble that their sons are frequently charged with being on an average, worse than other men's sons."

In spite of this quibbling of words the intelligent reader will perceive that there is not the remotest likelihood of the legislatures adopting these foolish statements as scientific facts upon which to base legislation. The palpable injustice is too obvious for comment. Moreover, is it not possible that the legislature might resolve to imprison the malefactors named by Mr. Boston, or confiscate their property, or hang them? But does it? The fear of this cautious lawyer is that the legislature might wish to expand and include still

other classes in such a statute. Is this risk not taken in all legislation? He also finds fault with the law because, forsooth, a man might be convicted of rape by false testimony and emasculated! Do we not take this risk of false testimony in all other law making—hanging, for instance?

In criticizing the Indiana sterilization law Mr. Boston says, "the Indiana legislature . . . even in the case of idiots and imbeciles has failed to consider the effect of environment in producing undesirable traits in offspring." He further says: "There are those who earnestly contend that every such undesirable trait is the result of surroundings and example, and not of heredity."

I fail to see how Indiana failed to consider environment as a factor in life as her law most conservatively states "that heredity plays a most important part in the transmission of crime, idiocy and imbecility." It is impliedly admitted that all crime and defect are not hereditary. There are, of course, spontaneous cases caused by brutal or vicious environment. Surely a legal mind comprehends that environment can never change the mental capacities of a feeble-minded person or an idiot. Their's is not a latent mentality but absent mentality.

At the risk of spending too much time and space upon Mr. Boston's "Protest," I will remark that he begins his dissertation with a facetious account of a case under an English act 22 Henry VIII (1530) which provided that one Richard Rouse should be boiled to death for poisoning the porridge of a bishop's household. It is entertaining as reading matter but I have looked in vain for the connection between this boiling in oil and the procreation of the unfit.

If you were to ask the gentleman who wrote the "Protest" what the connection was I think he would be forced to reply as did Browning when the meaning of one of his poems was questioned, "I think I must have had something in mind when I wrote it but I can't remember what it was."

### Conclusions

In concluding this discussion of the legal aspect of the question of sterilization I will say, that in general I believe all persons in the state who are potential parents of degenerate or socially inadequate offspring, whether confined in state institutions or not, should be made subject to the law.

The chief purpose of the law is to relieve society of the menace and burden of degeneracy. There is an ever increasing demand for more money to enlarge and maintain the institutions for the defective and degenerate.

We must depend upon the general police power to regulate the



individual to promote the general welfare of society. For the betterment of the body social and for the tranquility of the community we invade personal rights in a thousand ways. Surely it is within the police power of the state to regulate the lives of the irresponsible for the good of the whole. Herbert Spencer has said "To be a good animal is the first requisite to success in life, and to be a nation of good animals is the first condition to national prosperity."

Would it not be a fine thing if the nimble-witted lawyers would help us frame a constitution-proof law which would insure safe and uniform legislation on this subject? It is greatly to be deplored that their attention must be so absorbed with more remunerative business.

## CHAPTER III.

### STERILIZATION LEGISLATION IN THE UNITED STATES— ANALYSIS BY STATE

There are at present but nine states which have sterilization laws in operation. They are: California, Connecticut, Iowa, Kansas, Nebraska, North Dakota, South Dakota, Washington and Wisconsin.

Six other states have had laws which for various reasons have been declared unconstitutional or have been repealed. These states are: Indiana, Michigan, Nevada, New Jersey, New York and Oregon.

I shall include all of the above named states in the following analysis and shall comment upon and briefly discuss the various laws for the benefit of those states which may be planning legislation on eugenical sterilization.

These laws differ as to provisions for procedure, as to executive agencies, and in persons subject to the law.

Full texts of all laws discussed are given in the Appendix. In the case of those laws declared unconstitutional, I shall attempt to give the grounds upon which such decisions have been made, so that we may know the weak points in the various laws and at least avoid the rocks upon which the good ship has been wrecked in the past. I shall, also, quote liberally from reports and letters which I have gathered from different states and try to summarize the operation of the laws to date.

#### CALIFORNIA

First statute 1909; second statute 1913; amendment to second statute 1917; provision in act establishing Pacific Colony 1917.

The first statute enacted in California was declared unconstitutional by the decree of the State Supreme Court, September 3, 1912, but the second statute with amendment and the provision in the act establishing Pacific colony have not been tested by the courts.

#### General Provisions

The California law provides for and permits asexualization of inmates of the state hospitals and the homes for the feeble-minded whenever the medical superintendent and other executive agencies believe the operation will be beneficial, with or without the consent of the subject. As to prisons, the statute provides that the operation

shall not be performed upon a prisoner unless he has been committed at least twice for some sexual offense, or at least three times for other crimes, and shall have given evidence that he is a moral or sexual pervert; or in case of a life term who exhibits continual evidence of moral or sexual depravity.

### Operation of the Law

As to the state hospitals and the institutions for the feeble-minded the law operates most successfully, as is shown by the following:

#### Operation for Sterilization Performed in State Hospitals and Institutions for Feeble-Minded to Dec. 31, 1921

(Note: The consent of relatives is always obtained before operation is performed.)

	Male	Female	Total
From 1910-1916.....	374	304	678
For 1916.....	98	81	179
For 1917.....	240	138	378
For 1918.....	337	158	495
For 1919.....	272	161	433
For 1920.....	85	159	244
For 1921.....	119	164	283
Totals .....	1525	1165	2690

But as to prison it is not so effectual. The narrow limitation of prisoners subject to the law, including only certain types of recidivists, makes it practically inoperative. Statistics show an average of one operation a year in San Quentin, and we are advised by the Warden that these operations have all been performed at the request of the prisoner.

The Attorney General of California has said: "As regards the castration of confirmed criminals and rapists, and those guilty of sexual crimes, I am of the opinion that these are grave constitutional questions. But as restricted to the sterilization of the inmates of prisons and hospitals by the methods of vasectomy, I am of the opinion that there are no legal inhibitions upon this enlightened piece of legislation which is an awakening note to a new era and a great advance toward the day when man's inhumanity to man will have acquired a meaning beyond mere frothy sentiment."

### CONNECTICUT (1909)

This statute has not been tested by the courts but is constitutional according to the opinion of the Attorney General of the state, December 9, 1912.

### General Provisions

Persons subject to the law are inmates of state hospitals for insane at Middleton and Norwich and Mansfield State Training School and the hospital at Mansfield Depot.

Provision is made for examining the record and family history of the subject.

### INDIANA (1907)

(Declared Unconstitutional)

Decided unconstitutional by the State Supreme Court in 1921 (Williams v. Smith 131 N. E. 2).

### General Provisions

The law in this state is the first one passed in the United States and probably the crudest. It provides that the subjects, which include confirmed criminals, idiots, rapists, and imbeciles, shall be passed upon by a board of physicians and if in their opinion procreation is inadvisable it shall be lawful for the surgeon to perform the operation they deem necessary.

### Operation of the Law

While the Indiana law was crude, this state enjoys the distinction of being the most advanced along the line of eugenic practice. The passage of the law in 1907 merely legalized what was being done in the state. So far as I know, Dr. Henry Sharp of Indiana performed the first operation for sterilization in state institutions. In 1899 he performed the operation of vasectomy on 456 inmates of the Indiana Reformatory. In the last fifteen years there have been approximately, 1,000 men sterilized at the Indiana Reformatory. Even now that the law has been declared unconstitutional, sterilizations are being done at the Jeffersonville Reformatory (Southern prison) when the consent of the prisoner can be obtained.

An Indiana state official writes: "For my part, I believe in thorough sterilization of every convict who has been found, after investigation, to be deficient in moral quality to such a degree that he cannot conform to law. I do not believe that there is such a thing as a criminal strain, but there is such a thing as deficiency in moral qualities, and all persons so deficient are liable at any time to violate law and do social wrong."

### **Court Decision**

The law provided for no hearing of any sort and from the arbitrary decision of the examining board there was no appeal. The decision was that a "statute authorizing operation on a prisoner without a public hearing denies due process."

### **IOWA**

First statute, 1911; second statute, 1913; third statute, 1915.

The first statute was repealed; the second statute was repealed after having been declared unconstitutional by the Federal District Court, 1914 (216 Fed. Rep. 413). The third statute has not been tested by the courts.

### **General Provisions of Third Statute**

This statute includes "inmates of any institution who are afflicted with insanity, idiocy, imbecility, feeble-mindedness, or syphilis."

The law is weak in that it is necessary to secure the written consent of husband of the patient, or the wife, or if the patient is unmarried, the written consent of the parents, guardian or next of kin, before the operation may be performed.

### **Operation of the Law**

A report from the Board of Control of Iowa says: "we have had several cases of this kind up recently but in each case were unable to secure the required consent." From this it will be seen that they have a law which is ineffectual.

### **Court Decision on the Second Statute**

The grounds upon which the second statute was declared unconstitutional were: (a) that it was a cruel and inhuman punishment; (b) subjects did not have due process of law as they were passed upon by the state board of parole with no opportunity for a hearing; (c) unconstitutional as a bill of attainder in that it provides for the infliction of a punishment for past offenses by legislative act, without trial by jury.

The last point applied to the case of certain felons and sex offenders against whom the law was mandatory and punitive.

### **KANSAS**

First statute, 1913; second statute, 1917.

The first statute was repealed; the second statute has not been tested by the courts.

### **General Provisions**

Inmates of the state hospitals for the insane, state hospitals for epileptics, state home for the feeble-minded, and state school for girls, are subject to the law.

The Board of Examiners make an inquiry, administering an oath to any witness whom it is desired to examine, and return written findings. There is no provision for an appeal from the decision of the board.

### **Operation of the Law**

The only institution which has taken advantage of this law is the state hospital for the insane where about 100 inmates have been operated upon.

### **MICHIGAN (1913)**

(Declared Unconstitutional)

Declared unconstitutional by the State Supreme Court in 1918 (Haynes vs. Lapeer 166 N. W. 938) on the basis of being class legislation.

### **General Provisions**

The law is applicable to inmates of the state institutions maintained wholly or in part by public expense. There is provision for thirty days' notice to a subject with the right of a hearing in the probate court of the county in which the state institution is located.

### **Operation of the Law**

Although this law was passed in 1913 no operations were ever performed under the act up to the time it was declared unconstitutional in 1918.

### **Court Decision**

In deciding against the constitutionality of the sterilization law of Michigan, the Court said in part:

"If it fails to include and affect alike all persons of the same class, and extends immunities or privileges to one person and denies them to others of like kind, by unreasonable or arbitrary subclassification, it comes within the constitutional prohibition against class legislation. . . Acts of 1913 providing for operations of vasectomy on male and salpingectomy on female insane or mentally defective persons maintained at public institutions, is unconstitutional and void as class legislation, in arbitrarily selecting only those confined in state institutions."

### NEBRASKA (1915)

This statute not tested by the Courts. It became a law without the signature of the Governor.

#### General Provisions

In this state the persons to whom the law is applicable are the feeble-minded or insane inmates of institutions for feeble-minded, hospitals for the insane, the penitentiary, reformatory, industrial schools, industrial home, or other such institution, who are subject to parole or discharge and who are physically capable of bearing or begetting offspring. The written consent of husband or wife, parent, guardian or next of kin must be obtained.

#### Operation of the Law

The Secretary of the State Board of Examiners of Defectives reports that the number sterilized in Nebraska each year is about forty-three.

### NEVADA (1911)

(Declared Unconstitutional)

This statute declared unconstitutional by Federal District Court in 1918 (*Mickle vs. Heinrichs* 262 Fed. Rep. 688) as being cruel and unusual punishment.

#### General Provisions

The Nevada law was applicable to habitual criminals, rapists, and persons guilty of carnal abuse of female persons under ten years of age. Its motive was purely punitive and it provided for sterilization as a sentence to be pronounced by the Court in addition to

other punishment. The law especially provided that the operation should not be by castration. Except for this last provision the law is identical with that of Washington.

### **Operation of the Law**

There were no operations under this law.

### **Court Decision**

In the case before the Court, Mickle, who was an epileptic, pleaded guilty to a charge of rape and was ordered imprisoned for five years and operation to be performed to deprive him of the power of procreation. The Court held that though vasectomy in itself was not cruel that it violated the Nevada constitution which provided against "cruel or unusual punishments." In commenting upon a favorable decision upon this law by the Washington Supreme Court, the Court remarked that the Washington decision was rendered under a constitution which prohibited **cruel** punishment only and the Court was "not inclined to adopt the view that the two provisions mean substantially the same thing." The Court held that the term "cruel or unusual" as used in the Nevada constitution were disjunctive and "the purpose was to forbid newly devised as well as cruel punishments."

### **NEW JERSEY (1911)**

(Declared Unconstitutional)

This law declared unconstitutional by the State Supreme Court in 1913 (Smith vs. Board of Examiners 88 Atl. 963) on the basis of being class legislation.

### **General Provisions**

In this state the right to sterilize extended even to morons. It was provided that the subject should have a formal hearing, evidence taken, and the Supreme Court review the case.

### **Operation of the Law**

Practically no work was done under this law.

### **Court Decision**

This statute was declared unconstitutional on the ground "that



the statute in question was based upon a classification that bore no reasonable relation to the object of such police regulation and hence denied to the individuals of the class so selected the equal protection of the laws guaranteed by the fourteenth amendment to the constitution of the United States."

**Note:** One of the special provisions of this law was that if the provisions of the act with reference to any particular class were declared unconstitutional, such determination should not be deemed to invalidate the entire act, "but only such provisions thereof with reference to the class in question as are specifically under review and particularly passed upon by the decision of the court." As the decision quoted above was made in the case of an epileptic it would seem that the law might still be invoked as to other classes coming under the law. The Compiled Statutes of New Jersey 1911-1915, notes that the law "is unconstitutional as to epileptics." However, reports from New Jersey officials tell us that "the law is declared unconstitutional."

### NEW YORK (1912)

(Declared Unconstitutional)

This statute was declared unconstitutional by the State Supreme Court in 1918 (*Osborn v. Thomson et al* 169 N. Y. S. 638) and by the Appellate Division the same year. Appeal was pending before the Court of Appeals when the law was repealed by the Legislature of 1920.

### General Provisions

The persons subject to the law were the inmates of state hospitals for the insane, state prisons, reformatories, and charitable institutions; rapists and confirmed criminals in penal institutions. All orders of the Board of Examiners were subject to review by the Supreme Court.

### Operation of the Law

Only one operation for sterilization was performed under this law.

### Court Decision

The grounds for the adverse decision were that the operation of vasectomy without the consent of the subject, who was confined in

an institution for the feeble-minded, violated the provision of the Federal constitution which provides that no state shall deny to any persons within its jurisdiction the equal protection of the laws. The argument was that the law discriminated against the patient on the ground that he was made subject to the operation while men of the same mental and physical condition outside such institution would be under the protection of the law which makes such an operation upon a subject a misdemeanor.

The opinion of the Court adduced the testimony of the members of the Board of Examiners and other outside authorities in support of the conclusion that the determination of the Board of Examiners to cause the operation of vasectomy upon the plaintiff in the case was not justified either by the facts as they existed or in hope of benefits to come.

One member of the Board of Examiners testified that he had never performed the operation nor seen it performed; another that he had not given any study to any particular phase of the question. None of them believed there would be any benefits derived from performing such operation. Dr. Bernstein, head of the Rome Custodial Asylum, where the plaintiff in the case was confined, testified that he believed the enforcement of the law would be harmful because it would increase sexual intercourse, promote disease, and general demoralization. He also testified that he was not in favor of the operation for the plaintiff. He further said he "did not know of one case in the 1300 in the institution that it would be advisable to operate upon."

In its opinion the Court said: "The Board of Examiners apparently know very little about the subject. They have given it no particular study."

Dr. Davenport, the biologist, was also called in this case and said he favored segregation rather than vasectomy. Another witness called was the eminent Dr. Fernald, superintendent of the school for the feeble-minded in Massachusetts, who has written and done so much in criminology and prevention of feeble-mindedness. Dr. Fernald thought such an operation would increase illicit intercourse, disease, etc. Dr. Fernald represents that class of men who wish to build institutions, buy farms, appoint superintendents and doctors and spend freely of the people's money to support a class or profession whose duty it is to correct the mistakes of nature.

## NORTH DAKOTA (1913)

This statute not tested by the courts.

**General Provisions**

The persons subject to this law are the inmates of state prisons, reform school, school for feeble-minded, and asylum or hospital for insane. When in the opinion of the chief medical officer of any institution the surgical operation for sterilization would be beneficial and he is able to obtain the written consent of the inmate he may perform the operation.

**Operation of the Law**

There has been very little done under this law. The Superintendent of the Institution for the Feeble Minded writes:

"We have not done much as yet in connection with this law since I thought it well to go slowly on this matter until public opinion was a little more in sympathy with it. Also due to the fact that some of these laws have been tested in the courts in several states and been knocked out. Yet we have operated a number of times with the consent of the parents or the guardians but most of the boys have left the institution. However, we have one still in the institution and the results have been quite good in his case. He was much given to self abuse but since this he has improved and his mental condition has considerably improved over what it was at that time."

## OREGON

First statute, 1913; second statute, 1917; third statute, 1919.

The first statute was repealed by the vote of the people under the initiative and referendum law.

The last two were declared unconstitutional in 1921 by the Circuit Court of Marion County in the case of Cline vs. State Board of Eugenics.

For discussion of this law see separate chapter in this book.

## SOUTH DAKOTA (1917)

This statute not tested by the courts.

**General Provisions**

The persons to whom the law is applicable are the inmates of

the State Home for Feeble Minded Persons, to be selected by the State Board of Charities and Corrections, the superintendent of said institution, and the physician of the institution or one selected by him.

### Operation of the Law

In response to an inquiry as to the operation of the law the superintendent of the South Dakota Board of Health wrote that we must be in error and that he knew of no sterilization law in South Dakota, by which we inferred that the law was not taken advantage of very frequently. Later, however, in response to a letter addressed to the Superintendent of the School and Home for the Feeble-minded, we received a most interesting letter and report from him. I quote below:

"We performed the operation on sixteen boys and four girls in the spring of 1921. There has been no change in either the boys or girls in any way. The only benefit so far as I can see is that it makes them sterile.

There are more than four hundred thousand feeble-minded persons in the United States. One hundred thousand of these are women of child-bearing age. As is well known, the feeble-minded lack in judgment and in resistance to evil influences. They have not the moral discernment of normal people. When they marry they are much more prolific than others, and, being the victims of designing men, whether married or unmarried, they generally bear children who are usually feeble-minded like themselves, and thus our feeble-minded population keeps increasing and entails upon our state and upon every community an increasing burden of the mentally deficient, the epileptic, the insane and the criminal.

There are estimated to be twenty-four hundred feeble-minded persons in South Dakota, about four in every thousand, or approximately one in every two hundred and fifty of our people. This means that there are several in every community, and that in nearly every school there are children that are not wholly normal.

The feeble-minded are a menace both to their community and to themselves. As children they are backward in school and a source of perplexity to their teachers. They fit neither into the study nor the play of normal children. They soon drop out of school, and yet can find no employment for which they are fitted. The homes of most of them can give neither care nor training that they require. They grow up to be idle, shiftless and not infrequently vicious and

criminal. Their procreative instincts are abnormal and uncontrolled, and some of them become actually insane and dangerous."

## WASHINGTON

First statute, 1909; second statute, 1921.

The first statute was declared constitutional by the State Supreme Court in the case of *Feilen vs. State* (70 Wash 65). The second statute has not been tested in the courts.

### General Provisions

The law of 1909 is purely punitive in motive and is applied by the court in addition to other punishment in passing sentence on habitual criminals, rapists, and persons guilty of carnal abuse of female persons under ten years of age.

The law of 1921 holds as subject to sterilization all inmates of state institutions having the care of individuals held in restraint, who are feeble-minded, epileptic, habitual criminals, moral degenerates and sexual perverts, who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits, would probably become a social menace or wards of the State. The declared object of the law is for the betterment of the physical, mental, neural, or psychic condition of the inmate, or to protect society from the menace of procreation by said inmate, and not in any manner as a punitive measure.

### Operation of the Law

There have been no operations under the 1921 law.

### Court Decision

Since the Washington statute of 1909 enjoys the distinction of being the only sterilization law that has gone into court and lived to tell the tale, I think it is worth while to reprint in full the opinion of the court in *Feilen vs. State* of Washington:

*State vs. Feilen*. 70 Wash. 65.  
Crow, J.

The defendant was convicted of the crime of statutory rape, committed upon the person of a female child under the age of ten years, and was

sentenced to imprisonment for life in the state penitentiary. The final judgment and sentence from which he has appealed further ordered, adjudged and decreed that:

"An operation to be performed upon said Peter Feilen for the prevention of procreation, and the warden of the penitentiary of the state of Washington is hereby directed to have this order carried into effect at the said penitentiary by some qualified and capable surgeon by the operation known as vasectomy; said operation to be carefully and scientifically performed."

... Appellant was prosecuted under Rem. & Bal. Code Section 2436, and the penalty of life imprisonment was properly imposed. Rem. & Bal. Code Section 2287, provides that:

"Whenever any person shall be adjudged guilty of carnal abuse of a female person under the age of ten years, or of rape, or shall be adjudged to be an habitual criminal, the court may, in addition to such other punishment or confinement as may be imposed, direct an operation to be performed upon such person, for the prevention of procreation."

It is under the authority of this section that the trial judge ordered the operation of vasectomy, the appellant, by his remaining assignments, contends that it is unconstitutional in that as operation for the prevention of procreation is a cruel punishment prohibited by Art. 1, Sec. 14 of the state constitution, which directs that "excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted." As the statute does not prescribe any particular operation for the prevention of procreation, the trial judge ordered that the operation known as vasectomy be carefully and skilfully performed. The question then presented for our consideration is whether the operation of vasectomy, carefully and skilfully performed, must be judicially declared a cruel punishment forbidden by the constitution. No showing has been made to the effect that it will in fact subject appellant to any marked degree of physical torture, suffering or pain. That question was doubtless considered and passed upon by the legislature when it enacted the statute.

... The crime of which appellant has been convicted is brutal, heinous, and revolting, and one for which, if the legislature so determined, the death penalty might be inflicted without infringement of any constitutional inhibition. It is a crime for which, in some jurisdictions, the death penalty has been imposed. 33 Cyc 1518. If for such a crime death would not be held a cruel punishment, then certainly any penalty less than death, devoid of physical torture, might also be inflicted. In the matter of penalties for physical offenses, the rule is that the discretion of the legislature will not be disturbed by the courts except in extreme cases.

"It would be an interference with matters left by the constitution to the legislative department of the government, for us to undertake to weigh the propriety of this or that penalty fixed by the legislature for specific offenses. So long as they do not provide cruel and unusual punishments, such as disgraced the civilization of former ages, and make one shudder with horror to read of them, as drawing, quartering, burning, etc., the constitution does not put any limit upon legislative discretion." *Whitten vs. State*, 47 Ga. 297.

On the theory that modern scientific investigation shows that idiocy, insanity, imbecility, and criminality are congenital and hereditary, the legislatures of California, Connecticut, Indiana, Iowa, New Jersey and perhaps other states, in the exercise of the police power, have enacted laws providing for the sterilization of idiots, insane, imbeciles and habitual criminals. In the enforcement of these statutes, vasectomy seems to be a common operation. Dr. Clark Bell, in an article on hereditary criminality and the asexualization of criminals, found at page 134, vol. 27, *Medico-Legal Journal*, quotes with approval the following language from an article contributed to *Pearson's Maga-*

zine for November, 1909, by Warren W. Foster, senior judge of the court of general sessions of the peace of the county of New York:

"Vasectomy is known to the medical profession as 'an office operation' painlessly performed in a few minutes, under an anaesthetic (cocaine) through a skin cut half an inch long, and entailing no wound infection, no confinement to bed. 'It is less serious than the extraction of a tooth,' to quote from Dr. William D. Belfield, of Chicago, one of the pioneers in the movement for the sterilization of criminals by vasectomy, an opinion that finds ample corroboration among practitioners. . . . There appears to be a wonderful unanimity of favoring opinion as to the advisability of the sterilization of criminals and the prevention of their further propagation. The Journal of the American Medical Association recommends it, as does the Chicago Physicians' Club, the Southern District Medical Society, and the Chicago Society of Social Hygiene. The Chicago Evening Post, speaking of the Indiana law, says that it is one of the most important reforms before the people, that 'rarely has a big thing come with so little fanfare of trumpets.' The Chicago Tribune says that 'the sterilization of defectives and habitual criminals is a measure of social economy. The sterilization of convicts by vasectomy was actually performed for the first time in this country, so far as is known, in October, 1899, by Dr. H. C. Sharp, of Indianapolis, then physician to the Indiana State Reformatory at Jeffersonville, though the value of the operation for healing purposes has long been known. He continued to perform this operation with the consent of the convict (not by legislative authority) for some years. Influential physicians heard of his work, and were so favorably impressed with it that they indorsed the movement, which resulted in the passage of the law now upon the Indiana statute books. Dr. Sharp has this to say of this method of relief to society: 'Vasectomy consists of ligating and resecting a small portion of the vas deferens. This operation is indeed very simple and easy to perform; I do it without administering an anaesthetic, either general or local. It requires about three minutes' time to perform the operation and the subject returns to his work immediately, suffers no inconveniences, and is in no way impaired for his pursuit of life, liberty and happiness, but is effectively sterilized.'"

Must the operation of vasectomy, thus approved by eminent scientific and legal writers, be necessarily held a cruel punishment under our constitutional restriction when applied to one guilty of the crime of which appellant has been convicted? Cruel punishments, in contemplation of constitutional restrictions, have been repeatedly discussed and defined, although we have not been cited to, nor have we been able to find, any case in which the operation of vasectomy has been discussed. In *State vs. Woodward*, 68 W. Va. 66, 69 S. E. 385, a recent and well-considered case which may be consulted with much profit, Brannon, Justice, said:

"The legislature is clothed with power well nigh unlimited to define crimes and fix their punishments. So its enactments do not deprive of life, liberty or property without due process of law and the judgment of a man's peers, its will is absolute. It can take life, it can take liberty, it can take property, for crime. 'The legislatures of the different states have the inherent power to prohibit and punish any act as a crime, provided they do not violate the restrictions of the state and federal constitutions; and the courts cannot look further into the propriety of a penal statute than to ascertain whether the legislature had the power to enact it.' 12 Cyc 136. 'The power of the legislature to impose fines and penalties for a violation of its statutory requirements is coeval with government.' *Mo. P. R. Co. v. Humes*, 115 U. S. 512. The legislature is ordinarily the judge of the expediency of creating new crimes, and of prescribing penalties, whether light or severe. *Commonwealth v. Murphy*, 165, *Southern Express Co. v. Commonwealth*, 92 Va 66. For such a fundamental proposition I need cite no further authority. . . . What is

meant by the provision against cruel and unusual punishment? It is hard to say definitely. Here is something prohibited, and in order to say what this is we must revert to the past to ascertain what is the evil to be remedied. Within the pale of due process the legislature has power to define crimes and fix punishments, great though they may be, limited only by the provision that they shall not be cruel or unusual or disproportionate to the character of the offense. Going back to ascertain what was intended by this constitutional provision the history of the law tells us of the terrible punishment visited by the ancient law upon convict criminals. In our days of advanced Christianity and civilization this review is most interesting, yet shocking and heartrending. . . . In short, the text writers and cases say that the clause is aimed at those ancient punishments, those horrible, inhuman, barbarous inflictions."

In re O'Shea, 11 Cal. APP. 568, 105 Pac. 777, the California Court of Appeals for the first district said:

"Cruel and unusual punishments are punishments of a barbarous character and unknown to the common law. The word, when it first found place in the Bill of Rights, meant not a fine or imprisonment, or both, but such punishment as that inflicted by the whipping post, the pillory, burning at the stake, breaking on the wheel, and the like; or quartering the culprit, cutting off his nose, ears or limbs, or strangling him to death. It was such severe, cruel, and unusual punishments as disgraced the civilization of former ages, and made one shudder with horror to read of them. . . ."

Guided by the rule that, in the matter of penalties for criminal offenses, the courts will not disturb the discretion of the legislature save in extreme cases, we cannot hold that vasectomy is such a cruel punishment as cannot be inflicted upon appellant for the horrible and brutal crime of which he has been convicted.

## WISCONSIN (1913)

This statute not tested by the courts.

### General Provisions

The law makes all inmates of state and county institutions for criminal, insane, feeble-minded, and epileptic persons subject to the operation, at the discretion of the State Board of Control, or its appointees. Before such operation shall be performed it is required that the State Board of Control give at least thirty days' notice in writing to the nearest of kin or guardian, but no hearing or defense is provided for specifically.

### Operation of the Law

We have received from Wisconsin a very full and most interesting report of the operation of the sterilization law which we quote in full:



## THE OPERATION OF THE WISCONSIN STERILIZATION LAW

A. L. Beier, M. D., Superintendent Wisconsin Home for Feeble-Minded

Race betterment is a topic that has received wide attention for some little time; in fact, it may be said to date back to the early days of history, and is as old as civilization itself. The science of eugenics came into prominence about the year 1900, and followed closely the resurrection of the mendelian laws of variation and heredity discovered and published about the year 1866 by Gregor Johann Mendel, an Augustinian monk.

Prior to the year 1900, following the principles laid down by Itard and Seguin, the paramount concern of students and observers of mental defect appeared to have been the educability or training of those afflicted with feeble-mindedness.

Since the popularization of the mendelian principles and the development of the science or art of eugenics, the care, treatment and prevention of feeble-mindedness and its resultant conditions became the keynote of the endeavors of students of the condition. It is, I believe, generally conceded that mental defect is largely the basis of many sociological problems. Many observers have pointed out the fact that feeble-mindedness produces more pauperism, degeneracy and crime than any other cause. Existing side by side, as it does, with insanity, epilepsy and crime, it presents one of the most formidable and important medico-sociological problems known. Complete extirpation of this condition would cause the disappearance of the most, if not all, of these problems.

Entire eradication is not possible. A few years ago, Dr. Goddard stated that there were about 300,000 feeble-minded in the United States. There is no reason to believe that this number has materially diminished since then. There are at the present time approximately 70,000 of these receiving care in institutions. These are distributed in institutions for the feeble-minded, almshouses, hospitals for the insane, and in prisons and reformatories.

If Dr. Goddard's estimate is correct, or nearly so, we have approximately 230,000 feeble-minded in our population at the present time that are not confined. According to the same observer's estimate, approximately 65 per cent of cases of feeble-mindedness develop from feeble-minded parentage. Recently Dr. V. V. Anderson, psychiatrist in charge of special work in connection with the National Committee for Mental Hygiene, said in regard to the production of feeble-mindedness: "For this condition is inherited; it is the result, in about 80 per cent of all cases, of defective germ plasma, the expression of defective family stocks." The percentage given seems somewhat high, yet there is no doubt in my mind that the percentage given is correct, or nearly so.

What is the significance of this? It means that there are practically 230,000 feeble-minded at large in our population, at liberty to propagate their kind. The intelligence of these members of our social organization is such as would disqualify them from maintaining themselves independently of some support or other, and from managing their affairs with ordinary prudence, foresight and judgment. It means, further, a force in our midst, the constituents of which are unable to compete with their normal fellows on equal terms; a group, in fact, that necessarily, in our struggle for existence, must be crowded to the wall. The struggle for existence is always present, and even one of normal mentality finds it difficult and keen. As one observer tells us, the struggle for existence has become mind against mind.

Superiority depends more upon mental than upon physical brawn.

For those intellectually inferior individuals—the feeble-minded—the paths offering the least resistance and entailing the least effort present the most feasible and alluring possibilities. As a result of their social inadequacy and

inferior mentality, and their inability to adapt themselves reasonably well to shifting industrial conditions and social circumstances, they naturally drift along the avenues of crime, which may vary from simple misdemeanors to grave felonies; or enter upon pathways leading to vice, prostitution, illegitimacy, poverty, dependence, disease and misery.

At some time or other in their life history, they become social and economic burdens, and unless the tide of degeneracy which they initiate and transmit is stemmed, general race deterioration and gradual national decadence will inevitably follow.

That race degeneracy is possible under these circumstances can be readily understood when we take into consideration that the birth rate among the less intelligent is quite high, and that voluntary barrenness among the more intelligent obtains quite generally. The feeble-minded are especially prolific. Means for cutting off the supply of defective and low-grade human strains are prime requisites of race betterment and should be developed.

What means have we to accomplish this end? No single line of treatment or procedure that has so far been suggested is adequate, but eugenics points out the way. By following its teachings as nearly as we can, race betterment will surely follow—"a consummation devoutly to be wished."

As in the practice of medicine, so in matters of sociological importance, prophylaxis is the most essential and effectual treatment. In speaking of prevention, I refer more particularly to the type of mental deficiency that is due to faulty heredity. The production of feeble-mindedness through accidental factors requires a different mode of treatment, and need receive no further consideration here.

There are practically three means at our disposal that will assist in the elimination of the unfit. These three means may be grouped under three headings; restrictive marriage laws, sequestration, asexualization. No single one of these is a panacea.

Restrictive marriage laws and customs developing from religious principles, or depending from racial pride or social position, have all had a wholesome deterrent effect on the perpetuation of mental defect. And "we are learning to say," using the words of Humphrey, taken from his book entitled *Mankind*, "with growing insistence, to one group of the community: 'You must let your miserable inheritance die with you. This is not ordered as a punishment. Involuntarily you have brought something out of the past which is not good for society, and it must be left behind as the race goes forward.'" Our attitude toward the feeble-minded should be as Huxley suggests: "We are sorry for you; we will do our best for you (and in so doing we elevate ourselves, since mercy blesses him that gives and him that takes), but we deny you the right to parenthood. You may live, but you must not propagate."

Marriage laws can never entirely control the situation. They reach only a certain group of intelligent individuals. They do not prevent the issue of offspring and may even promote illegitimacy. I do not here refer to the so-called eugenic marriage laws which affect more definitely individuals who are subject to venereal diseases. The work that is going on along this line marks a milestone on the pathway of progress, and is a most important prophylactic sanitary, economic and humanitarian measure.

There is a law in our state which reads: "No insane person or idiot shall be capable of contracting marriage. No man and woman, either of whom is insane, mentally imbecile, feeble-minded or epileptic, shall inter-marry." It is a wise law and it shows the state's disapproval of the marriage of the unfit, but it is difficult of enforcement. Magistrates and clergymen necessarily find it difficult to recognize the higher types of mental defectives especially.

We have had what seems to be a very unhappy experience with two members of our family of defectives. I mention this merely to illustrate the validity

of the marriage law. One of our degenerate boys was discharged on account of a technical error found in his commitment. He met one of our girls who was out on parole; obtained a license to wed; the marriage was performed by one of our county judges, who undoubtedly had no opportunity of knowing the mentality of the applicants. The girl was subsequently returned to our institution and died during childbirth.

Lately one of our inmates eloped. Previous to her commitment she had given birth to a child. This child is now being cared for at our State Public School. She came to us pregnant and gave birth to a second child at our institution. This child is a mental defective and will undoubtedly continue to be a ward of the state. A few days ago word came to me that this girl had met with the father of her second child. This man obtained a license to marry and married the girl. (In passing I desire to mention that we had intended to perform the sterilization operation upon her, but the consent of the parents was lacking). I do not doubt that she is again with child and probably we shall have another expectant mother in our midst when she is returned.

Sequestration or segregation, the second means given to promote the elimination of the unfit, if it could be extensively carried out, would be the most effective. Due to economic reasons it would be impossible to house or colonize all mental defectives, and if this could be accomplished it would be a difficult matter to retain them. Segregation contemplates confining males and females during their reproductive period especially. During this time they are at least partially able to pay for their support at employment designed to carry on the work of the institution in which they are housed. Segregation will continue to be by far the most valuable method of treating these individuals, as many of the feeble-minded, as we all know, have many traits that make them undesirable and unfavorable units of society.

There is left the third method, asexualization. Sterilization of the unfit is of comparatively recent origin. The first state to legalize these operations was Indiana, which passed its law in 1907.

Prior to this a superintendent of a Kansas institution for the feeble-minded had castrated some 58 boys. This occurred in 1898. A few other workers among the feeble-minded tried the same experiment. Their purpose was rather to eliminate debasing habits and propensities than to produce sterility for the purpose of preventing procreation.

In 1894, Dr. F. E. Mears, of Pennsylvania, advocated and tried ligation of the spermatic cord as a substitute operation for castration in the treatment of hypertrophy of the prostate gland.

Following this Dr. Sharp, in 1899, proposed and performed the operation of vesectomy on 456 inmates of the Indiana Reformatory. In 1901 the first step toward securing legislative authorization was taken by the state of Pennsylvania. The measure passed both houses but was returned for the correction of some technicality by the governor, and thus did not receive his approval to enact it into a law.

Indiana in 1907 passed a law authorizing the performance of an operation for the prevention of procreation on confirmed criminals, idiots, rapists and imbeciles. It is said that over 800 cases were sterilized, 200 of these at the request of the individual concerned.

Since then California, Connecticut, Iowa, New Jersey, Kansas, New York, Nevada, North Dakota, Washington and Wisconsin, have passed laws authorizing sterilization. The law passed in Washington pertains only to the asexualization of rapists and habitual criminals.

The Wisconsin sterilization act relates to the prevention of criminality, insanity, feeble-mindedness and epilepsy. It became a law in 1913. Prior to its passage, it was twice defeated. When first presented, I understand, it was denounced as inhuman. On its second presentation it is related that one of the

members of legislature quoted the Lord's command to Noah to be "fruitful and multiply and replenish the earth." In commenting on this Dr. Wilmarth aptly said: "Had the members of the legislature been as familiar with Bible history as with the Wisconsin statutes, they would have remembered the radical steps taken by the Creator at that time to eliminate degeneracy and people the earth from the best members of the human family, and the speaker's argument might have lost its force."

The statute makes the following provision:

1. The State Board of Control is hereby authorized to appoint from time to time, one surgeon and one alienist, of recognized ability, whose duty it shall be, in conjunction with the superintendents of the state and county institutions who have charge of criminal, insane, feeble-minded and epileptic persons, to examine into the mental and physical condition of such persons legally confined in such institutions.

2. Said Board of Control shall at such times as it deems advisable submit to such experts and to the superintendents of any of such institutions the names of such inmates of said institution whose mental and physical condition they desire examined and said expert and the superintendent of said institution shall meet, take evidence and examine into the mental and physical condition of such inmates and report said mental and physical condition of such inmate to said Board of Control.

3. If such superintendent and expert unanimously find that procreation is inadvisable it shall be lawful to perform such operation for the prevention of procreation as shall be decided safest and most effective; provided, however, that the operation shall not be performed except in such cases as are authorized by the said Board of Control.

4. Before such operation shall be performed, it shall be the duty of the State Board of Control to give at least thirty days' notice in writing to the husband or wife, parent or guardian, if the same shall be known, and if unknown, to the person with whom such an inmate last resided.

This includes the most important features of the law. Soon after its passage, Dr. Wilmarth states, an attorney of some repute wrote and urged him to have the constitutionality of the law tested by bringing a test case into court. This was declined, and nothing further was done in the matter.

A period of two years elapsed before any operations were performed. So far we have operated upon 76 cases, of which 16 were boys. There were no complications following in any of the cases operated upon. All made a speedy, complete and splendid recovery. It may be further said that there were no apparent mental or physical changes noted in any of the cases. None was expected excepting that which was intended; namely, the production of sterility in the subject operated. We believe that this has been accomplished.

In regard to the cases selected: Among the boys, those manifesting a strong or abnormal sexual propensity, a faulty heredity, superficial brightness, and a strong tendency to elope, were chosen.

Among the girls: The higher types who showed marked abnormal heredity, licentious temperament, decided sexual irregularities, and a number who already had given birth to illegitimate or defective offspring. There were, I believe, eighteen among these who had illegitimate children. One we know had seven; some of these, however, were born in wedlock. All, I believe, are state charges.

Before operation we followed the dictates of the statutes very closely and even went a step farther, inasmuch as we did not perform the operation on any case where an objection to it was raised by either parent or legal guardian.

There were but very few objections made. Dr. Wilmarth states that all but one were based on religious convictions. It may be said here that since we began the work we have had from the parents of some of our children frequent requests to have the operation performed.

A number of these sterilized cases have been paroled, and so far only one has been returned. We have not paroled all of these cases due to the fact that we are exercising practically the same amount of care and precaution that we did before we began asexualization operations. We feel that the interest of the community to which such a child would go must be respected. It is needless to say that we also consider the matter from the standpoint of the child's welfare.

A number of our sterilized boys have eloped; also one of our girls. That does not now cause us the anxiety that we have hitherto felt, as we feel that these sterilized cases at least will not propagate their kind.

In respect to the type of operation performed on these cases: The Wisconsin law does not specify what surgical procedure is to be used; it simply legalizes such operation for the prevention of procreation as shall be decided safest and most effective. Vasectomy in the male and Salpingectomy in the female, the simplest forms known, were used. In the resulting operations, or laparotomies, on the girls, our surgeon corrected whatever pathological conditions he found. This included the removal of diseased appendices, replacement of diseased uteri, eradication of cysts, and removal in part of diseased ovaries. In one case a tubercular peritonitis was discovered. In this case in particular there was decided improvement in the physical health following the operation.

## CHAPTER IV.

### PROGRESS OF STERILIZATION IN OREGON

My first article on the subject of sterilization published in the Oregonian March, 1904, was as follows:

#### FAVORS USE OF KNIFE

NORTH YAKIMA, Wash., March 11.—(To the Editor.)—I have been much interested always in the problem of race improvement, and especially of late in the discussion in your invaluable paper on the humanity or inhumanity of sparing or cutting off at birth the lives of physical or mental defectives.

However strong I might believe that the death at birth of all such would be best for them and for humanity, I could never accept the solemn responsibility of taking a human life, and I am persuaded that it is a power not to be safely or properly intrusted to any private human judgment. And yet the human race should and could be largely protected from monstrosities and deadly diseases without resort to the taking of life. Certainly parents should think and live rightly. This course, in time, through generations of parents, would doubtless produce a race very near to physical and mental perfection; but at present unfavorable ancestral influences are too strong for one right-living pair to more than partially overcome them, therefore it is not wholly within the control of parents to produce just the kind of children they desire. If it were, we should soon have a whole race of Roosevelts, Willards and Shakespeares—a condition delightful to contemplate, but I fear still far in the future.

Here is a case in point which occurred recently in my own practice, of a handsome young Scotchman, full of life and health, with a beautiful young American wife—ages 27 and 24 (the most vigorous time of life, according to Dr. Osler.) This happy couple of 18 months' wedded life were looking forward with joyful anticipation to the stork's visit to their home. In time he came, and brought a poor, frail, six-pound babe, with an unnaturally long neck, and an abnormal growth of the size of a hen's egg on each side of its throat. Can you attach any blame to these healthy, right-living, offspring-desiring parents? No, for it would be a palpable injustice. Should I have killed that child? No, a thousand times, no.

Besides, who can tell at the child's birth whether, though seriously handicapped physically, it may not one day become a power in and blessing to the world.

For instance, Alexander Pope, Lord Byron, the present Emperor, William of Germany, and, to come near home, our own able historian and man of letters, Professor H. S. Lyman, all physically imperfect at birth, might have come under the proposed plan of extermination.

That we have not complete control of the situation, however, is no reason why we should not use our best efforts, by right thinking and living, to have our children, so far as our power and responsibility go, well born.

This is a deep and serious subject, and one far too great to cope with in its entirety, yet, I repeat, much can and should be taken. Some of the worst ills to which humanity is heir, such as insanity, epilepsy, and cancer, are almost certainly transmitted by the immediate progenitors. The greatest

curse of the race comes through our vicious criminal and insane classes, and to my mind this is the element that should be dealt with, not by chloroform, or strangulation, but by the science of surgery, for if their power to reproduce themselves were rendered null a tremendous important step in advance would have been taken, not only without injury to life, but often with positive benefit to the victims themselves.

Over 20 years ago I visited our State Insane Asylum at Salem. My friend Dr. H., then in charge, received me graciously, and conducted me through the various wards. On our way from the wards back to luncheon I said: "Doctor, this is a horrible phase of life; when is it to end?" "I don't know. It is hard to tell," he replied. "If I had the power," I continued, "I would curtail it, for I would see to it that not one of this class should ever be permitted to curse the world with offspring." He stared at me and finally said: "Would you advocate that method?" "I certainly would, if I were not a woman, and a woman M. D., to whom, I know too well at this day and age it would simply mean ostracism," I answered. "Well," he rejoined, "I beg you not to mention this subject to my wife, for she would be shocked and horrified." "I shall not mention it to your wife, but I want to tell you right here that if I were in control of this institution, as you are, I would at least give many of these pitiable unfortunates the one chance of recovery, which might restore their reason. You know, doctor, as well as I do that hysteria and insanity are often due to diseased reproductive organs. Think of those loathsome victims of an unnamable vice under your charge. It would be nothing less than common humanity to relieve them of the source of their curse and destruction by a simple surgical method that might give them a chance to recover their reason."

Eight or ten years since, in a conversation with an eminent attorney concerning a mutual friend and near neighbor, whose wife had recently called upon the attorney at dead of night to protect her and her children from her husband, who had for second time become suddenly insane, he said to me: "This is terrible. But who would have thought of this level-headed business man going insane?" I responded, "Remember, we know it is in his blood by family inheritance. And now I am going to say what will shock you, which is that every person admitted into an insane asylum should be so dealt with as to preclude reproduction." Instantly and warmly he exclaimed, "I sanction that, and I will go farther by including every criminal that goes through the penitentiary doors." Thereupon we shook hands on it then and there, feeling sure that the time would come when the commonwealth, forced to grapple with this vital subject, would be able to adopt these measures with the full assent of a majority of its citizens.

(That man was the United States Senator, the Honorable C. W. Fulton, from Clatsop County, Oregon.)

### 1907

After preparing the public mind for my proposed sterilization legislation by means of newspaper articles and by speaking in public and in private upon every opportunity, spreading the gospel wherever and however I might, in 1907 I decided to make an attempt to get a bill into the legislature. The following news item which appeared in the Morning Astorian will best explain the situation at that time:

## HEROIC MEASURE TO BE PRESENTED SOON

(Introduced February 23, 1907)

## Text of Dr. Owens-Adair's Bill for the Sterilization of Humanity

The Morning Astorian has had a good deal to say, at one time and another, in regard to the proposed legislation about to be introduced at Salem at the instance of Dr. B. Owens-Adair of this county, and which is causing wide and interested comment here and all over the States of Oregon and Washington; and in behalf of the growing sentiment in favor of this heroic, yet sound, plea for the uplift of physical, mental and moral humanity, this paper now has pleasure in presenting the text of the proposed bill; in order to give the reading public a fundamental idea of the proposition and to show how great a matter may be compassed in a meagre space. It reads as follows:

"An act providing for the sterilization of criminals, epileptics, insane and all feeble-minded persons.

"Be it enacted by the Legislature of the State of Oregon:

"Section 1. That criminals, epileptics, insane, and all feeble-minded persons committed to any State institution of the State of Oregon, shall be sterilized, except such as in the judgment of a legally appointed board of examiners, whose duty it shall be to pass upon each and every case, are exempted.

"Section 2. It shall then become the duty of the physicians in charge of the various State institutions to execute the provisions of this act."

To get this bill drawn I called upon several attorneys. They laughed at such a foolish idea. I went to Salem to the Attorney General. He told me he had no time and was rushed with "important measures." So I wrote the bill myself. It was received with disgust by the House and thrown out by an indefinite postponement.

That I succeeded in getting my bill introduced in the House in 1907 was due only to four brave young men—Messrs. Farrell, Chapin, Beals and Newell.

It was greeted with coarse laughter and coarser jests. What wonderful changes have come in these few short years! Sterilization has aroused the thinking people to thought and action. They are reaching out in all directions to find methods to check the evils that are threatening our nation. Sterilization stands at the head. It is radical for it cuts off the contaminating source and the propagating source of the undesirable. It is benign and it is harmless. In time it will be acknowledged to be the saving factor of this great problem. At that time it was considered unfit for public discussion. The subject was so little understood that it was considered by most people as absolutely indecent and not to be mentioned in public. It was Pope, I believe, who said "We first endure; then pity, then embrace." I rejoice to know that we have passed through the first two stages and are now entering upon the third. Today it is acknowledged to be a scientific subject to be earnestly and frankly



and universally studied that it may be thoroughly understood and put into practice.

I can tell you that for years I have been kept literally upon the rack. And I could never tell you, nor do I wish to tell you, what this battle has cost me in tears and anguish,—including money. There is nothing that hurts me more than ridicule and sneers. I have been advised and pleaded with, have been told that modesty is the priceless gem that every woman should wear. I have often wondered how I ever came through. A dear friend once said to me, "If I wished you to grow an inch taller, I would attempt to press you down, and you would grow out of sheer resentment."

But with care my poor infant bill of 1907 survived! Presented in a new dress on February 1, 1909, the Senate received it kindly and passed it over to the House with a two-thirds vote. The House greeted it with smiles and passed it on to the Governor with his little axe!

The same year, 1907, I sent my bill to the Washington Legislature where it was introduced by Senator Walter J. Reed of Yakima. I went to Yakima and it was from that place that I sent the following letter to my four young champions in the Oregon Legislature, which is self-explanatory:

North Yakima, Wash., Feb. 23, 1907.

To Farrell, Chapin, Beals and Newell,

Gentlemen:—I see by this morning's Herald that my "sterilization Bill," so kindly championed by four sensible and fearless young men, has met the fate that I expected. I expected defeat but the defeat brings with it a determination to succeed, and in two years hence I will try again. By that time the good people will have recovered from the shock and the Legislators will have had time to think and reason upon this subject which is all I ask.

Again thanking you, I am, sincerely,

DR. OWENS-ADAIR.

## 1909

In 1909 I made my first vigorous fight in the Oregon Legislature for this measure. I went from one member to another, to all who would give me an audience. A few insulted me on the spot. But I was not there to argue or quarrel; I had taken a vow not to lose my temper, for I knew that insults would come. It was a new idea to most of the members and they wanted information. When I explained the operation of ligating the spermatic tube, or vas-deferens, thus preventing the escape of the seminal fluid, the first question was "What becomes of it?" I answered, "What becomes of it in boyhood and young manhood?" It was there because it had not been called upon to perform its function. Nature is a wise and economical protector,—every part of her wonderful machinery is supplied with every necessity for protecting health and life. The second question was "What about women? Are they not to be steri-

lized?" I answered, "Most assuredly; that is just as important, if not more so."

In the fall of 1908 while in Portland attending the Oregon State Woman's Suffrage Convention, before which I made an address, I had an opportunity to speak to the legislative delegates from Multnomah County in what they called their "pot-latch." Senator Beach made it possible for me to meet this delegation and I was very happily received by the gentlemen present who were frank and kindly in their approval and promises to consider the matter deeply and devotedly when it should come up in the Legislature that winter. I said in part:

"Gentlemen of our next Legislature:

"I must apologize for not having any data with which to present my subject. I did not expect this opportunity until my friend Senator Beach opened the way for me by kindly offering to present me to you.

"But to come to the work in hand. Two years ago through the Oregonian I called upon the Legislature to enact a law to prevent the future propagation of criminals, idiots, insane and all that class of objectionables by and through sterilization. That class which we know is not only a burden, but a curse to our homes, our state, and our nation as well.

"I did succeed in getting that bill introduced in the house which I consider was a great step in advance. Through the prominence given my communication by the Oregonian the subject was taken up by the Washington press and given wide circulation and more fully discussed than in Oregon. And my friend Senator Walter J. Reed, assured me that had he received the bill in time it would have passed the Senate with little or no opposition.

"Now gentlemen it is my intention to be with you in Salem and I hope to bring with me the names of our most prominent physicians, asking you to give us a law for the purification and preservation of our state. And I ask of you as a favor that you think along these lines just a few moments each day and read the headlines and glance through, if possible, any such publication on the subject. By so doing I believe that every one of you will be prepared and willing to cast a conscientious vote for such a humane law. I thank you."

In 1909 during the Legislature I went to Portland to attend a meeting of the Multnomah Medical Association as I was a member of the State Medical Association and wanted the endorsement of the Multnomah Association in order to strengthen my bill. I was graciously received. The President introduced me and I stated my work and begged them to endorse my bill. The President spoke in favor of the bill, also Dr. May Cardwell and Dr. Amos. Dr. Amos said he was quite sure that one state already had such a law, saying that a few weeks before he had seen a notice of three lines in the American Medical Journal, saying that sterilization was proving a success, and he added that he was quite sure the state was Indiana. No one else had seen it. The next speaker said, "You know we have two measures before the legislature and I fear that if we endorse this measure it might weaken the chance of those meas-

ures passing." After some discussion on that, a member arose and made a motion to refer the matter of endorsement to a committee of three to report at their next meeting. It was carried. This was most interesting as the next meeting would not be due until after the adjournment of the legislature! May I be forgiven for remarking in passing that in spite of the exercise of such prudence and caution neither of the bills for which they acted as sponsor passed the Legislature?

I quote below the gist of my remarks before the Multnomah Medical Association:

Members of Multnomah Medical Association:

Portland, Oregon, January 20, 1909.

I shall not take your time by a drawn out speech, for I know that each and every one of you understand that an ounce of prevention is worth a pound of cure. You understand the laws of transmission through propagation. You are all conversant with the great increase of insanity and crime today. You all know and feel the great burden of taxation for the support of those objectionable classes, and now I come to you with the hope and belief that you will indorse this bill and thereby assist me in this very disagreeable work. You know I have been a member of the State Medical Association for more than a quarter of a century, but as I have retired from active practice I feel that I have now time to devote to the work of humanity, and I believe that the greatest good to future generations must come through purifying the source of reproduction. And now I ask you as members of our profession to assist me in this great work. This is no laughing matter, as I said to one of our representatives on last Monday who was trying to make a jest, "You are making laws to protect the birds, and wild beasts, why not make laws to protect our innocent children and your children's children?" And here is my bill, which only deals with the vilest elements. Every physician in Clatsop County save one, a Finn, has signed this petition. And now I am hoping for an indorsement from this society.

The following physicians endorsed my proposed bill:

Seattle, Wash., Dr. C. W. Sharples, Dr. Jas. B. Eagleson, Dr. A. B. Harrison, Dr. S. J. Dean, Dr. Geo. M. Morton, Dr. John Nyrvening. North Yakima, Wash., Dr. J. B. Burns, Dr. H. R. Wells, Dr. C. W. Chompton, Dr. Geo. Sloan, Dr. Thomas Tetrean, Dr. David Rosser, Dr. C. G. Feltcher, Dr. W. H. Carver, Dr. P. Frank, Dr. H. Hilton. Astoria, Oregon, Dr. J. A. Fulton, Dr. J. M. Holt, Dr. C. B. Estes, Dr. C. W. Reames, Dr. H. L. Henderson, Dr. Alfred Kinney, Dr. N. B. Vernon, Dr. Jay Tuttle, Dr. R. J. Pilkington, Dr. W. Lagus, Dr. A. A. Finch, Dr. C. C. Rosenburg. Weston, Ore., Dr. S. L. Corp.

My bill was introduced in January, 1909 by Senator John B. Coffey, and passed the Senate by two-thirds majority on February 1st; it went to the House on February 12th and passed on February 17th with only five dissenting votes. Representative Farrell, who had been a staunch friend of my bill in 1907, again championed the bill in the House. The following newspaper notices (Oregonian) will best tell the story of the passage of the bill:

**OWENS-ADAIR BILL PASSES****Only Chronic Prisoners and Hopelessly Insane Affected**

STATE CAPITOL, Salem, February 17.—(Special.)—The Owens-Adair Senate bill, providing for sterilization of persons incurably insane and third convicts, passed the House today and will now go to the Governor for his approval. As the Governor is known to be favorable to a measure of that kind, it is probable he will let it become a law.

As passed, the bill will apply to very few people who ever regain their freedom, but it is the commencement of a policy which may later be extended so as to be of material effect in preventing the multiplication of the criminal and insane.

The vote upon the bill was unanimous, except that Bedillion, Bones, Brattain, Brooke and Hughes voted "No."

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**STERILIZATION BILL PASSED.**

SALEM, February 17. With only five dissenting votes, Dr. Owens-Adair's bill providing for the sterilization of the criminally insane men convicted of assaults and confirmed criminals, passed the house just before noon today.

The bill had already passed the senate, and now only requires the approval of the governor to become operative. Those who opposed the bill were Representatives Brookes, Brattain, Bedillion, Bones and Hughes. Those absent were Bean, Belknap, Brady, Bryant and Corrigan.

Representative Farrell was the champion of the measure on the floor of the house. He read letters from the superintendents of the Wisconsin and Indiana penitentiaries who recommended the process. Out of 223 convicts operated on in Indiana 217 had voluntarily asked to have the operation performed, according to figures quoted by Farrell.

Little argument was required, and the house was impatient during Farrell's short address. No one opposed the measure in the house except by their votes. Dr. Adair sat in the lobby during the vote, and was congratulated by many members of the house when the result of the vote was announced.

The bill provides that it shall be compulsory upon every institution of the state entrusted with the care of confirmed criminals, insane persons, rapists, idiots and imbeciles, to appoint upon its staff, in addition to the regular institutional physicians, two skilled surgeons of recognized ability whose duty it shall be, with the chief physician of the institution, to examine the mental and physical conditions of such inmates as are recommended by the institutional physician and board of managers. If in the judgment of this committee of experts procreation is inadvisable, and there is no probability of improvement in the mental condition of the inmate, it shall be lawful for the surgeons to perform such operation for the prevention of procreation as shall be decided safest and most effective, but this operation shall not be performed except in cases that have been pronounced unimprovable.

The act specifies further that the term "confirmed criminals" shall be deemed to apply to and include all persons serving a third term in any penitentiary or penal institution upon conviction of a felony.

The following is the text of the measure as it passed the Legislature of 1909:

### "A Bill"

"For an act entitled an act to prevent procreation of confirmed criminals, insane persons, idiots, imbeciles, and rapists; providing that superintendents and boards of managers of institutions where such persons are confined shall have the authority and are empowered to appoint a committee of experts, consisting of two (2) physicians, to examine into the mental condition of such inmates, and to define who shall be deemed confirmed criminals within the provisions of this act.

"Be it enacted by the people of the State of Oregon:

"Be it enacted by the Legislative Assembly of the State of Oregon:

"Section 1. From and after the passage of this act it shall be compulsory for each and every institution in the State entrusted with the care of confirmed criminals, insane persons, idiots, rapists and imbeciles, to appoint upon its staff, in addition to the regular institutional physicians, two (2) skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the institution, to examine the mental and physical condition of such inmates as are recommended by the institutional physician and board of managers. If, in the judgment of this committee of experts and the board of managers, procreation is inadvisable and there is no probability of improvement of the mental condition of the inmates, it shall be lawful for the surgeons to perform such operation for the prevention of procreation as shall be decided safest and most effective; but this operation shall not be performed except in cases that have been pronounced unimprovable.

"The term 'confirmed criminals,' as contained in this act, shall be deemed to apply to and include all persons serving a third term in any penitentiary or penal institution upon conviction of a felony."

During the Legislature I called on Governor Chamberlain and said, "Governor, you are in favor of my bill, are you not?" "Yes, I am." "Then I shall not look for a veto from you." "No, unless those fellows up there put something in it that ought not to be there."

Now, I wish to make it emphatic that "those fellows" did not put anything in my bill, and Governor Chamberlain knew it, too, for I had asked the committee which had the bill for consideration to substitute the Indiana law for my bill, as it was not so radical and had been tried for two years and had proved most successful according to the testimony of thousands of people.

Nevertheless I was due to receive one last overwhelming disappointment for on February 25th Governor Chamberlain vetoed my bill. It was a greater disappointment because it took me unaware. I was not looking for it because the Governor had told me he was in favor of the bill. I had spent much time and money on it; I had suffered abuse and many indignities; and, now, when the battle was thought to be won, defeat came. But the fight must go on; new plans and new efforts must be put forth. In this defeat, as in all my past life, failure brought renewed determination, and while smarting under the loss, my mind ran back to 1878-79 when I found myself in a large class in the Medical Department of the University of Michigan, among men and women all well-educated, many holding college and university degrees, while I had not even a grammar

grade certificate. I realized my position; could I ever keep pace? My determined will came to my aid, and I resolved that if it was within human power, I **would** succeed! And so in this case my resolve was made, and on the train returning home I wrote:

"The Governor has cut the head off my bill, but he has not killed it. It only sleepeth. Two years, and it will awake with renewed vigor and determination to succeed."

Governor Chamberlain wrote me the following letter regarding the application of the broadax to my bill, which had had the honest votes of 70 men who had thought seriously upon the subject and then voted their honest convictions:

February 25th, 1909.

Doctor Owens-Adair, Portland, Oregon,

Dear Mrs. Adair:—After looking over Senate Bill Number 68 I have concluded that it is so loosely drawn and so poorly safe-guards the rights of the unfortunate (against whom it is directed) that I deemed it my duty to veto it.

When I first talked to you about the matter, without knowing the terms of the Bill in detail, I was disposed to favor it, but I think such a Bill ought to be so carefully safe-guarded that no abuses could be practiced against it, and I feel that this is not the case with the bill under consideration.

I have the honor to remain,

Yours very respectfully,

GEO. A. CHAMBERLAIN.

Governor Chamberlain vetoed my bill out of sympathy with that class who are a menace and a curse to humanity. He did not, or would not, understand what a blessed boon the law would be to that very class whose crimes and passions he was protecting.

In addition to the 70 votes in favor of this bill, I wish to state that later I had an opportunity to interview four members of the Legislature who were absent when the vote was taken, and they assured me they would have voted for the bill had they been present, which would have made seventy-four votes. Certainly few Oregon bills have received more earnest consideration and few have received a higher vote under such conditions.

## 1911

When the Governor chloroformed my bill in 1909 I had said that the bill only slept; that it would awaken refreshed, fully restored and ready to assert its rights. So, the Legislature of 1911 found me on hand with my Sterilization bill ready for its consideration. Senator Albee introduced the bill for me and at first it looked like clear sailing. I canvassed the Senate and finding I had a majority of the votes pledged (including three out of the four members of the committee that was to take the bill) I left for Olympia for

the purpose of getting my bill on the docket in Washington. When the bill came up the Senator forgot to name the committee and the President of the Senate referred it to the Judiciary committee. This was most unfortunate, nay, more than that, it was a calamity, for it came out of the committee with a minority report, was hotly contested, and failed. Two more years of waiting, worry and expense!

That the bill failed in 1911 was due to the chairman of the Judiciary committee, Mr. Albert Abraham, of Douglas County.

The following is the story of my defeat as told in the Oregonian of January 26, 1911:

### STERILIZATION BILL KILLED

#### Senate Downs Dr. Owens-Adair's Measure After Heated Debate.

STATE CAPITOL, Salem, Or., Jan. 26.—(Special.)—Dr. Owens-Adair's sterilization bill met defeat in the Senate this morning and was indefinitely postponed after a strenuous fight in a practically evenly divided House.

Abraham was most vigorous in his opposition, declaring that it was impossible to harmonize this bill with the present state of civilization and with the doctrines of government.

"I suppose if this bill passes," he said, "it will distinguish us further as having something on our statute books as a part of the Oregon system that no other state has."

An assertion by Abraham that the law does not exist in Indiana was refuted by Albee, who displayed a copy of the law as it stands in that state. Abraham declared that it is not the same law; that the Indiana law was passed for the purpose of curing the individual, while the Adair bill is for the regulation of procreation and propagation. Such regulation, Abraham argued, is without the province of humankind and should not be exercised.

Carson attacked the bill on the grounds of its unconstitutionality, saying that it is in conflict with the constitutional provision which provides there shall be "no cruel and unusual punishment."

The arguments were supplemented by adverse statements from Wood, Sinnott and Carson, while Joseph and Chase were favorable to the bill. On vote the bill was lost, there being 16 against and 14 for its passage. The vote was:

Yeas—Albee, Bowerman, Chase, Hawley, Hoskins, Joseph, Lester, Locke, Malarkey, Merryman, Norton, Nottingham, Patton, Selling.

Nays—Barrett of Umatilla; Barrett of Washington; Bean, Burgess, Calkins, Carson, Dimick, Kellaher, McCulloch, Miller, Oliver, Parrish, Sinnott, Von der Hellen, Wood.

Mr. Abraham spent much time during this session of the Legislature in getting laws for the protection of wild animals and birds.

It was in the following May that Governor Oswald West, who devoted much time to prison reform, announced himself as the firm friend and advocate of my bill, as follows:

From the Oregonian, May 25, 1911:

### ADAIR BILL LIKED

#### Governor West Advocates Sterilization of Criminals.

SALEM, Or., May 25.—(Special.)—"As I become more familiar with conditions at the State Penitentiary, the more I am convinced that the plan of sterilization, as championed by Dr. Owens Adair, is one of great merit, and I shall certainly include in my next message to the Legislature strong recommendations that such a law be enacted in Oregon. If I thought this bill would not meet with a favorable response from the Legislature, I would aid in initiating a bill and would take active steps for its passage."

This declaration was made today by Governor West. Since going into office he has devoted much of his time to the subject of prison reform and effort to perfect legislation toward sterilization of criminal insane. Moral perverses who are past the hope of reform will be another element of his policy along this line.

"Prisoners at the Penitentiary are divided into three classes," said the Governor. "Prisoners of one class are the men who may be reformed, and I have been directing my attention toward their welfare. Another class is made up of men who should be punished, that society may be protected, and still give the men a chance to reform.

#### One Class Beyond Redemption.

"There is a third class of criminal insane, moral degenerates and moral perverses who cannot be reformed and who never could be. These men would fall under the provisions of the bill providing for the sterilization of the criminal insane. Such a move would not merely be a protection to society, but at the same time would prevent this class from reproducing its kind."

The Governor declares that this class of men is in a small minority, but he has discovered to his own personal knowledge through his prison connection as executive that there are men there who would be benefited materially by such a law and at the same time society at large would receive a benefit.

When his attention was called to the fact that the principal objection to Dr. Owens Adair's bill was the possibility of its abuse, he said such a measure would not and could not be subjected to abuse more than any other law tending toward reform.

#### Physicians May Decide.

In a tentative manner, providing he succeeds in obtaining such legislation, it is probable that his plan will be to arrange for an advisory board of several physicians to determine who are the criminals that have reached a stage where they should fall under the provisions of the act.

"I propose to exert every energy to see that such a measure becomes a law," concluded the Governor. "In my opinion it will result not only in a public benefit, but will become known as a public necessity after it has been in effect and the result of its operation is known. Undoubtedly such a move will result in much criticism, but it will come from the same class that will declare it unreasonable, unjust and cruel, but at the same time censures an executive for endeavoring to give some deserving prisoner an opportunity by furnishing him work and allowing him an opportunity to make good."

The movement to sterilize degenerates and feeble-minded persons is strongly upheld.

#### Should Protect Society.

They should not be allowed to reproduce their kind," says the governor.



"Society should be protected from this curse. Our asylums and our prisons are being populated afresh through such parentage. We confine the vicious and irresponsible for a while, only to send them forth to blight the future by the creation of defective children that grow into the criminal or the imbecile.

"Society is crying for protection, and this protection should be given. False modesty in the past has caused us to speak softly and handle this subject with gloved hands. Recent disclosures have emphasized the fact that the time has come to speak aloud.

"The state has been shocked by the recent exposures as to degenerate practices. But this is an old story to those who deal with our jails and our asylums.

"Do not delude yourselves with the idea that these conditions are confined within the walls of our prisons or asylums. These degenerates slink in all their infamy, through every city, contaminating the young, debauching the innocent, cursing the state.

"Two remedies are needed—one of prevention, another of cure. We from session to session have been considering the first. We should now act upon the two.

"Sterilization and emasculation offer an effective remedy. I would recommend, therefore, that a statute be enacted making it the duty of our state penal and eleemosynary institutions to report all apparent cases of degeneracy, to the state board of health. It should be the duty of said board to cause such operations to be performed as will give society the protection it deserves."

## 1913

When I reached the Capitol from Yakima, Washington, on January 13th, 1913, I was met by many senators and representatives who grasped my hand and said: "We will vote for your bill." Senator Farrell said, "Doctor, I want to introduce your bill—it will be the best bill introduced." He was one of the four young men who had the courage to introduce my bill in 1907. And it took courage to do it in 1907 when the ignorance of the members of the legislature as to the progress of science was so abysmal that they treated my bill as a joke! Representative Farrell had also introduced my bill in the House in 1909.

But to return to 1913 experiences. Governor West had said through the press that he believed in my bill, referring to it as "Dr. Owens-Adair's bill" and said that he intended to see it become a law if he had to have a referendum on it. I told him that would mean defeat. Upon reaching the State House I went at once to the Governor's chamber. He was surrounded by many gentlemen but upon seeing me he came forward and congratulated me warmly. During the previous summer I had written Governor West saying that I wished to see him and talk my bill over with him. He replied that as soon as he returned from a trip he would be at liberty to see me and discuss the bill. But until now we had not gotten together. He was soon at leisure and I said, "Now, Governor, let us get to the bill." He said, "I don't like your bill, but I have one here that

I think will go through." I said, "Read it to me." He did so and asked, "How does that suit you?" I said, "That is my bill in a new dress, which I think makes it more attractive, and that is what I want; but you must bear in mind, Governor, that the bill is my bill and not yours." He said, "I am not trying to claim your bill; I don't think I could separate you from it if I tried," and to the gentlemen standing about, "Do you think I could?" They replied with one accord, "No, I think not, and you could not separate yourself from it if you tried!" "Thank you," I said, "and now, Governor, you have greatly assisted me and I am willing that you should select the man to introduce this bill for me." Just then Representative Lewelling came in and he introduced him to me, saying, "This is the man I would select." The Governor then said, "Now you go home and forget all about it; it will go through all right." "Thank you," I replied, "but I do not think I will desert my post. I have been absent from home over a month, but I will go home, put my house in order and return."

Knowing that the bill could not come up for a few days, I left at once. The next day I found the Oregonian had given much space to the sterilization bill, but my name was left out! Many people said to me, "Doctor, the Governor is trying to steal your bill." When I returned to Salem I carried the paper to the Governor and said, "Do you know anything about this?" He said, "Most emphatically, I do not." I said, "Then I know you will correct this mistake and put the credit where it belongs." And he did so, as was fully shown later.

On February 3rd, 1913, the sterilization bill passed the House after a heated discussion with six nays, with three members absent. To say that I was delighted does not express it; it seemed as if I was about to gain the victory after thirty years work.

After my bill had passed the House with 51 affirmative votes, feeling confident of a majority vote in the Senate, for I had a majority pledged, I left for Olympia, hoping to get my bill rushed ahead there. When I returned to Salem, the first thing I heard from friends and members of the Legislature was, "Doctor, you made a mistake in leaving, for no sooner had you gone than the enemies of your bill (including four priests) came and had a rousing meeting. They put in their best licks and we are afraid you are beaten. They had a great string of arguments against sterilization, and nobody to refute them." I said, "Would God I had been here."

The following news item from the Oregon Journal gives the particulars of the meeting of this delegation which came from Portland to attack my bill as soon as I left for Olympia. They would not have had free sailing had I remained in Salem.

Salem, Or., Jan. 24.—(Special to The Journal.)—A delegation of about 25 Portlanders appeared before the senate and house committee Thursday afternoon in the supreme court rooms to oppose the passage of what is known as the sterilization bill.

The principal addresses against the bill came from Rev. Father Black, J. Hennessy Murphy, Rev. Father Gregory, Judge M. G. Munly, Dr. J. D. Fenton, Thad Vreeland and others. While the room was well filled with spectators none spoke in favor of the bill upon invitation from the committee, the general feeling being one of surprise at such a pronounced opposition to it from the delegation, which was not expected, nor was the appearance of the delegation itself.

There seemed a general opinion that the bill was very loosely drawn in its present shape and if passed at all would have to be redrawn and subjected to careful inspection on medical, legal and constitutional lines and safeguarded in the matter of individual rights and consent in some cases.

Then I remembered what Cromwell said to his army, "Pray, pray, but by all means keep your powder dry!" So I went to look after the ammunition.

And I did come near losing out. But sixteen members of the Senate sustained me. My gratitude knew no bounds when Senator I. N. Day of Multnomah County, rose to his feet and said, "That law can do nobody any harm; I wish to change my vote to Aye." He saved the day for me. That gave me 16 votes to 11—three members being absent.

I can never describe the terrible strain through which I passed during the vote of the Senate. The anxiety was acute. Representative Lewelling was sitting by my side keeping tally. I was shaking like an aspen; I was cold and felt my heart had stopped. For over thirty years I had been working along these lines and for four consecutive legislatures I had been finding some friend to introduce the bill in Oregon and Washington.

Many people said to me, "Doctor, you are a fighter." "Yes, I was born a fighter, and expect to battle to the end." Many came to congratulate me and I was happy. For never in all my battles had I won one of such magnitude, for the great good I expected to be brought to this and future generations I could not estimate.

And again I had learned the worth of the lesson taught me by my father when I was yet a little girl: "Whenever you want to accomplish anything, stay with it. Do not leave your post."

The following story of the passage of my bill in the House in 1913 was told in the Morning Oregonian of February 3, 1913:

STATE CAPITOL, Salem, Or., Feb. 3.—(Special.)—A dramatic scene occurred in the House this afternoon when Representative Schuebel, of Clackamas County, while discussing the so-called sterilization measure, known as House bill No. 69, said he was surprised that there should be any member of the House "to champion the degenerates against whom the bill is directed." The bill passed, eventually, with an overwhelming majority.

"If any man would enter my home and ensnare one of my daughters,"

shouted Mr. Schuebel, "I would kill him as quick as I would kill a yellow cur."

"Under this law, what would you get if you did that?" asked Representative Mitchell, of Baker County, an opponent of the bill.

### Women Share in Applause.

"I'd take my chances, sir," replied Mr. Schuebel, and he was greeted by prolonged applause from every section of the House, including an unusually large crowd of women, who remained in the lobby while the entire subject was under discussion.

Those voting for the bill were Abbott, Anderson of Clatsop, Anderson of Wasco, Applegren, Barton, Blanchard, Bonebrake, Brunk, Carkin, Carpenter, Eaton, Forbes, Forstrom, Gill, Graves, Hagood, Hall, Hill, Hinkle, Homan, Howard, Hughes, Hurd, Latourette, Laughlin, Lawrence, Lewelling, Mann, Massey, McDonald, Meek, Nichols, Nolte, Olson, Parsons, Pierce, Porter, Potter, Reames, Schnoerr, Schuebel, Smith, Spencer, Stranahan, Thoms, Upton, Weeks, Westerlund, Speaker McArthur. Voting against the bill were Belland, Chapman, Childs, Handley, Heltzel, Mitchell; absent, Campbell, Lofgren, Stanfield.

This bill, which was fathered by Representative Lewelling at the request of Governor West, was viciously attacked by some, but even more staunchly upheld by others, and it created the greatest of interest throughout, holding the largest crowds of both men and women which has gathered at the present session of the House.

In brief, the bill provides that the State Board of Health shall, upon receiving a report to the effect that any inmate of the asylums, of the penitentiary or other penal institution of the state, is incurable or a chronic criminal, "shall proceed to sterilize or otherwise treat such inmate as to protect and conserve society." Such report is to be made by the superintendent of the institutions named.

### Bible Cited Against Bill.

Representative Heltzel, of Marion County, took the floor against the bill as it was presented for passage, declaring that it is not a good measure, that the law of God, as written down in Deuteronomy xxiii-1, so specifies, and he doubted if it is within the province of man to amend the law of God recited therein. He attacked the administration of laws as now administered, declaring that it is not the criminal or the insane who are locked within the walls of prisons or asylums who are destroying society, but "the sons of Congressmen, etc.," can be cited as well.

"I include in my category of criminals who are even worse than some of the men who are to come under this proposed law, if it passes, the lawyer who inveigles his clients into his office and keeps them in litigation until their funds are gone; the physician who keeps his patient sick until his money is gone and the preacher who sneaks into the home when the husband and father is absent and makes improper advances to the wife and mother."

He said he was surprised that the preachers present as members of the House had not risen before to cite the Bible as being opposed to sterilization.

### Minister Makes Reply.

Representative Howard, who is a minister, rose later and said that, while it was true the Bible said what Mr. Heltzel had quoted, "it also says that whoso shall shed blood, his blood also shall be shed, but I want to say to you that there are crimes beside which the crime of murder pales into insignificance. I refer to the very acts of perverts such as this bill is directed against and move the previous question, hoping to see this measure become a law."

"I am in favor of this bill if it will be amended to include married men who go out joy-riding with women," said Representative Nolta, of Multnomah County, amid laughter.

Representative Schuebel, of Clackamas, declared that he was most heartily in favor of the bill and said: "It is high time that we made the young man who commits an act against which this is aimed as much of an outcast as we make the young woman against whom he commits that act an outcast. It is true that custom has so long sustained the other version of this that society has almost come to believe that the young man can accomplish the ruin of as many young women as he pleases and still run as large and be a respected member of society. But I want to say that, if any man would ensnare one of my daughters, I would kill him as quick as I would a yellow cur. The law is so bound about by technicalities that I would not wait for it to be unraveled, but would take the law into my own hands. It is time that we were passing such laws as will protect the young, innocent girls and punish those who are not innocent; this law is a good one. It is not aimed at the good men and women, but the bad ones, and I am surprised there is anyone here who would oppose it."

#### **Belland Calls Bill Heinous.**

Representative Belland, of Clatsop County, declared that "God made man in his own image; he said, 'go forth, be fruitful and multiply.' Later the book says God looked upon what he had done and was satisfied, but it seems that some of the members of this Legislature are not satisfied with what God did and now they want to have some of our doctors take sharp knives and trim the men down a little, to fit modern conditions. This bill is the most heinous I have ever heard of."

Speaker McArthur, Representative Bonebrake and several others spoke in favor of the bill. At the morning session Representative Mitchell, of Baker County, attacked the bill, declaring it to be dangerous to give to the superintendent of any institution the right to say who shall be "sterilized," and declared that, if the bill is passed, it will be necessary to double the guards at the Penitentiary, as "those men over there are in fear that this law will be visited upon them and they are apt to do something desperate to escape from the results of it." He declared that men confined in the Oregon Penitentiary are forced to wrap rags around their legs and feet, in lieu of underwear, as they have been forced to wear the same underwear for 18 months.

Apropos of these Biblical discussions which are always provoked when sterilization legislation is under way, I am reminded of an incident of the 1917 legislature when Senator Vinton of Yamhill County made an eloquent and ringing speech against my sterilization bill. He said "Those who endorse this measure remind me of the poor publican of whom we are told in the Holy Scriptures, who went into the highways and byways and thanked God that he was not like other men!" After this stirring climax Senator Sam Garland of Linn County arose and said, "I may not be up on Bible quotations like my eminent colleague from Yamhill County, but I seem to remember from Sunday School days that it was the pharisee and not the publican who thanked God he was not like other men." There was a good laugh at Senator Vinton's expense.

My friends said, "Of course you will take a gold pen to the

Governor with which to sign the bill." I said, "No, I will do better than that." When all was ready for signing, I said, "Governor, our Declaration of Independence and our Constitution were signed with a quill pen, and I think this is an appropriate time for the use of a quill pen." He said, "I have never used a quill pen but will do so now with pleasure. And I will do now what I have never done before. I will ask you to witness your own bill and take it to the Secretary of State. Take it to Secretary Olcott for his signature, and be sure you don't forget to bring it back."

This, then, was my hour of triumph. Casting my thoughts back over my early struggles and a long and eventful life, I felt that I had almost reached the topmost round of the ladder. I did not know that there was an enemy at my back! No sooner had the news gone out in large type that Governor West had signed Dr. Owens-Adair's bill than the rumor was flashed back that the referendum would be brought against it. I was certain that it would be defeated under the referendum, but if it had received only 10,000 votes I should have felt that I was repaid for all my efforts. And when it piled up a vote of over 41,000 I was more than gratified! The great victory was in this irrefutable evidence that the people were being educated to my bill.

(From Oregon Journal, Feb. 18, 1922)

#### **HOURL OF TRIUMPH HAS ARRIVED FOR DR. OWENS-ADAIR**

**Governor With Quill Furnished by Her Signs Sterilization Bill; Woman Author Acts Herself as Messenger**

(Staff Correspondent)

Salem, Or., Feb. 18.—Governor West today signed H. B. 69, being the Lewelling sterilization bill.

This successful outcome of the bill is considered a personal triumph for Dr. Owens-Adair. She came from her home in Clatsop county when the bill was first presented, and who has remained here working persistently for the measure.

She brought with her a quill, which the governor used in placing his signature of approval on the bill and then returned it to her. She acted as messenger in transferring the bill from the governor's office to the secretary of state's office, where it is filed. The secretary of state gave her a receipt bearing the seal of the state, for the measure

The following item, which appeared in many Oregon newspapers tells the story of the seven men and two women who got up the petition invoking the referendum against the Oregon Sterilization law as passed by the Legislature and signed by Governor West in 1913:

### STERILIZATION BILL IS OBJECT OF ATTACK

For the purpose of invoking the referendum on the sterilization law recently passed by the legislature, a society was last night organized at the East Portland branch library, which will circulate a petition to have the measure killed. It is declared that the law is loosely drawn, and liable to abuse. It will be necessary to have 6300 names on this petition and it must be filed before June 4.

The following officers were elected: President, M. G. Munly; vice president, Mrs. Lora C. Little; secretary, Robert B. Coventry; treasurer, Rev. Father Black. Mr. Munly was not present. The name of the organization is "The Society for the Abolishment of the Sterilization Law."

The speakers of the evening were Rev. P. J. Green, who presided at the meeting; Dr. W. O. Powell, Mrs. Little, G. W. Adams, E. Versteeg, C. M. Mullen and others.

The efforts of these people defeated the law. But for us it was surely victory in defeat, for it not only gave us the tremendous vote of over 41,000 but it provoked much public discussion. When the bill passed again in 1917 the people understood it and were ready for it. This same misguided set failed in an attempt to again invoke the referendum in 1917.

The following news story was also printed in many papers:

(From the Oregon Journal, Oct. 21, 1913).

### STERILIZATION LAW IS SAID TO CONFER TOO DANGEROUS A POWER

**Contention Made That Two Men Would Have Authority to Mutilate Insane  
at Will**

Protesting against the sterilization measure to be voted upon at the forthcoming referendum election, November 4, on the ground that it places too much power in the hands of two men, a number of prominent citizens of Portland, in the following communication, recommended that the voters of the state vote "No" on this measure:

"We believe the sterilization law should be rejected because it does not sufficiently guard the safety of the insane and feeble-minded and all prisoners in the state institutions.

"If this law is approved by the people and is constitutional, it will be possible for only two men, one a superintendent of a state asylum, without an oath or affidavit, without a trial or hearing, without a notice to the insane person or prisoner, or to any friend, relative or guardian, to cause any insane person in the state institutions to be sterilized, spayed, castrated or otherwise mutilated by any "surgical operation" the state board of health may be pleased to order. Nothing is required by law but approval of the state board of the reports of the superintendent.

"There is nothing in the law to prevent all of this being done before any of the work is made public. We do not think any two men or any combination of men should have this power over the bodies of insane persons or prisoners. It is true that the law says the insane person or prisoner may appeal from the order of the state board, but it does not require that he or she shall

have any notice whatever, and this makes appeal impossible, except by the kindness of the superintendent of the asylum or penitentiary.

"We recommend that this law be rejected by voting 305 X No.

"We do not say the present officers would abuse the authority granted them by this law, but we believe the history of mankind proves that such secret power is too great to be given any body of men over other men, women and most of all over helpless insane persons and prisoners.

"M. G. MUNLEY,  
 "EMMETT CALLAHAN,  
 "HENRY E. M'GINN,  
 "PERRY JOSEPH GREEN,  
 "LORA C. LITTLE,  
 "J. H. BLACK,  
 "W. S. U'REN,  
 "MATILDA M. GREINER."

"I disapprove of the law because it accomplishes nothing, may be an engine of tyranny and oppression, and is rot," said C. E. S. Wood.

Most active among the enemies of the sterilization law was Mrs. Lora C. Little, of Portland, who missed no opportunity to air her views as shown in the following clipping from the Oregonian:

#### STERILIZATION ACT IS SCORED BY WOMAN

"The most vicious piece of legislation ever passed by a legislature assembly," is the way in which Mrs. Lora C. Little characterized the sterilization act, in an address Friday afternoon before the Autometric league. Mrs. Little gave it as her opinion that the sterilization law is but a wedge for still more stringent and harmful measures. The speaker traced back the family history of some of the old "blue blooded" families in the United States, and said that some of the greatest statesmen this country has known would not have lived had the sterilization law been in effect in their time and community. The meeting was held in the Selling-Hirsch building.

The following is self-explanatory and is quoted here to show the various activities of the Anti-Sterilization League, and Mrs. Little in particular:

#### THE ANTI-STERILIZATION LEAGUE

Portland, Oregon

The Political Equality Club.

Dear Friends: You are cordially invited to attend a meeting this (Thursday) evening at Room 516 Eiler's Building and hear the weighty reasons for invoking the referendum on the so-called sterilization law. Col. C. E. S. Wood will be the first speaker and will begin at 8 o'clock sharp and speak briefly on account of having to catch a train. Other speakers will be heard. Few, even, of those favoring the law, know that it contains no reference to sterilization, and is capable of being used for quite other purposes than the protection of society from depraved men.

Every woman should inform herself on this question, and do it at once.

Yours sincerely,

The Anti-Sterilization League,

Lora C. Little, Vice-Pres.



## 1915

I made no campaign in 1915 as I was advised by a lawyer that there was a law which prevented my bringing it up immediately after the referendum had been used against it. I am now told that there never was such a law. So much for the free advice of the lawyers. However, it was not a propitious time to bring it up so soon after it was rejected by the people so nothing was lost by waiting.

## 1917

The Legislature of 1917 found my infant bill of 1907 grown into a pretty young miss of ten years. In 1907 I could not leave her on anybody's doorstep; in 1917 she made her debut with all the necessary background of friends and family.

Senator Farrell, who had stood by the bill so many years, introduced it into the Senate. The Women's Legislative Council of the State, representing the Oregon Congress of Mothers, the Consumers' League, the Oregon Federation of Women's Clubs, and the Women's Christian Temperance Union, announced through the press that it had placed its stamp of approval on Senator Farrell's Sterilization bill.

Mr. Peck of Coos County introduced the second sterilization bill in the house at about the same time the Farrell bill was introduced in the Senate. Mr. Peck's bill was a re-vamp of my old bill which was killed by the referendum in 1913. This bill was offered with Governor Withycombe's backing. He liked some features of it better than he did the Farrell bill. The Peck bill referred only to institutional cases while the Farrell bill included cases outside of institutions.

To my great disappointment and chagrin I was unable to attend the 1917 session and was obliged to depend upon Senator Farrell and my good friend Mrs. Millie R. Trumbull, of the Child Labor Commission, to engineer the bill through the Legislature. There were the usual lot of ignorant, prejudiced arguments against the bills, but both bills passed the house in which they originated and the Peck bill passed the senate though the Farrell bill failed in the House. But we had the Peck bill and were content. This same bill created the State Board of Eugenics.

I sent to every member of the 1917 Legislature a copy of my 60 page pamphlet on the question of Sterilization, with the following letter pasted in it:

Hon. Legislator:

I take this method of bringing to your consideration my Sterilization Bill, which will be introduced at this session. I regret that I cannot be in attendance in person, but financial losses prevent. You may be aware that my Bill, was first introduced in 1907, Feb. 23, by four brave young men—Representatives Farrell, Beals, Chapin and Newell; and in 1909 by Senator Coffey. It passed the Senate February 1 by a 2-3 vote. On the 17th it passed the House with only 5 dissenting votes. It was vetoed by Governor Chamberlain.

In 1911 it was introduced by Senator Albee, of Portland; by mistake it went to the wrong committee and was defeated through the efforts of Senator Abrahams, of Roseburg, chairman of his committee. In 1913 it was introduced by Representative Lewelling, passed, and signed by Governor West, but killed by referendum vote.

Had my bill received only 10,000 votes I should have felt repaid for my earnest efforts of over 30 years along lines of human betterment, including money spent, abuse and ridicule heaped upon me. But when the vote rolled up to over 40,000 I was more than gratified. The newspapers of Oregon stood by my Bill. The press is the great educator of the Nation; and no other state is so well informed on this subject as is Oregon.

H. W. Scott said in the Oregonian, "It is a mortal shame that our country must be contaminated by the scum of the world, but we will continue to breed criminals till Dr. Owens Adair succeeds in getting her bill on the statute books." It is claimed by the National Eugenic Society that there are 15,000,000 feeble-minded in the United States, and they propagate from 2 to 8 times faster than the normal rate.

Think where our boasted Nation will stand 100 years hence, and then vote for Dr. Owens Adair's Humane Sterilization Bill.

Respectfully yours,

DR. OWENS-ADAIR.

No better history of the sterilization movement of 1917 can be given than by quoting the following newspaper "stories":

(Oregonian, Feb. 2, 1917)

State Capitol, Salem, Ore., Feb. 1.—(Special.)—It took the House two hours this morning to pass two bills—Peck's sterilization bill and Stephen's Cascade County bill.

Most of the two hours was devoted to speeches by men who prefaced their remarks with:

"I don't want to take up much of your time."

Peck opened up with an explanation of his bill. He said that it has eliminated all the objectionable features of a similar bill defeated by the people under referendum a few years ago and that it covers all the ground demanded by the most recent scientific research. It creates a state board of eugenics, composed of the State Board of Health and the heads of various state institutions having insane, criminal and feeble-minded persons in their charge. Beland objected to it because, he said, it is contrary to the teachings of God and the Bible.

Men and women are to be sterilized only on decision of this board and subjects are to have the right of appeal to the Circuit Court. The measure is approved by Governor Withycombe and was drawn in accordance with the recommendations in his recent message.

A similar measure has been passed by the Senate. Senator Farrell, author

of that bill, conferred with Representative Peck this morning and it is probable that an agreement will be reached on which bill to put through. The Peck bill is the more drastic.

The only negative votes were as follows: Belland, Brownell, Burdick, Callan, Clark, Cornelius, Elmore, Goode, Kubli, Lafferty, Mackay, Mann, Martin, Mueller, Portwood, Schimpff and Mrs. Thompson—17. All the others voted for it excepting Ashley, Corbett, Elgin, Fuller and Stott, who were absent.

The Governor today also placed himself on record as being in favor of the Peck sterilization bill, which has been introduced in the House.

### **Sterilization Act Indorsed**

The executive, in his message to the Legislature, advocated the passage of a sterilization act to protect the state against further propagation of imbeciles and degenerates, declaring at that time that "the prevalence and increase of feeble-mindedness is one of the greatest problems confronting modern society."

He stated today that the Peck bill is carefully drawn, its provisions are adequate to carry out in a large measure the plan to safeguard society against perpetuation of this strain in the offspring of the criminal, imbecile and degenerate, and he declares himself as in favor of its passage.

"The use of the power to sterilize is safeguarded in very possible manner in the Peck bill," stated the Governor, "and I can say that I unqualifiedly indorse the measure."

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(Oregon Journal, Jan. 25, 1917)

Salem, Or., Jan. 25.—Sterilization of feeble minded persons and sexual pervers occupied most of the time of the senate this morning. The subject came up on a divided report from the judiciary committee on Senator Farrell's bill, prescribing conditions and procedure under which this class of persons named in the bill may be sterilized to prevent propagation of their kind.

The majority report of the committee, signed by Senators Vinton, Hurley, Dimick and Handley, was unfavorable to the bill, while the minority report, signed by Senators Wilbur, Olson and Steiwer, was favorable to the bill.

### **Minority Report Accepted**

After a lengthy discussion, the minority report was adopted by a vote of 21 to 6, which will have the effect of placing the bill on the calendar for third reading and final passage. The bill was made a special order for 2 o'clock next Monday afternoon.

The chief argument presented against the bill was advanced by Senators Hurley and Vinton that as the people had voted down a sterilization bill four years ago, another bill on the subject should not be passed.

Senator Farrell pointed out the wide difference in the provisions of the two bills, the one four years ago, providing for physical disfigurement of a person, while the present bill does not, and is much milder.

### **How They Voted**

The vote on the question of substituting the favorable report for the unfavorable report as follows:

Yes—Bishop, Cusick, Eddy, Farrell, Garland, Gill, Hawley, La Follett, Leinenweber, Lewis, Olson, Orton, Pierce, Shanks, Smith of Coos, Smith of Josephine, Steiwer, Strayer, Von der Hellen, Wilbur, Wood.

No—Barrett, Dimick, Handley, Hurley, Vinton, President Moser.

Absent—Baldwin, Bingham, Huston.

In order to illustrate the trend of thought regarding the subject of sterilization I quote below an editorial which appeared in the *Oregonian* during the legislative assembly of 1917, which is self explanatory:

### STERILIZATION

The surprising assertion was made at Salem yesterday by an oratorical opponent of sterilization that some of the greatest men in history have been born of feeble-minded parents. The accepted theory, not to say the established principle, of heredity did not stand well with the minority that fought the sterilization measure. The remarkable revelation about the origin of some of the world's brightest luminaries was a sample of the argument relied upon by those who thought that perverts and defectives ought to be let alone, so far as their power to reproduce their kind is affected.

The real basis of the opposition to sterilization is that it is an invasion of personal liberty—a violation of the sanctity of the human person. The objection is not scientific nor hygienic; it is dogmatic and reactionary. It is going but a step further to say that the state has no right to seize the person of an imbecile, or degenerate, or pervert, but that he should be free to pursue his own courses, or at least left to the care of his family as in the old days. But modern enlightenment has taught that the state should care for the insane and idiotic, and it is beginning to teach that society has a right to protect itself by taking away from him something which he will not miss but will, if given a chance, grossly misuse.

The sterilization bill was beaten a few years ago by the people, doubtless because it was not understood. Now probably there is better understanding of its processes and of its benefits.

The following item from the *Oregonian* will serve to indicate the tendency toward a petition for the referendum against this law:

### FIGHT ON BILL TO FAIL

#### Dr. Owens-Adair Says Women Are for Sterilization Law

Salem, Ore., March 17, 1917.—(Special.)—Dr. Owens-Adair, "mother of the sterilization bill," who stopped in Salem today on her way home from California, declared that the contemplated referendum against the sterilization measures will met with defeat at the general election in November, 1918, if it is attempted.

"The women of the state have been educated since the last time sterilization was voted on and defeated," stated Dr. Adair. "The women of the state will be almost a unit in favor of the measure."

The proposal for a referendum on the sterilization bills has been tentatively decided upon. L. D. Mahone and others of Portland are said to be behind the referendum movement.

Just as I prophesied, the referendum failed to materialize and the bill became a law May 21st, 1917.

## CHAPTER V.

### LEGAL SIDE OF OREGON'S BATTLE

The sterilization law of Oregon passed by the legislature of 1917 created the State Board of Eugenics, composed of the State Board of Health, the superintendent of the Oregon State Hospital, the superintendent of the Eastern Oregon State Hospital, the superintendent of the State Institution for the Feeble-minded, and the superintendent of the Oregon State Penitentiary.

The following November the Attorney General of Oregon gave an opinion to the president of the State Board of Health in which he outlined the duties of the State Board of Eugenics as follows:

"It is the duty of the State Board of Eugenics to examine into the innate traits, the mental and physical condition, the personal record and the family traits and histories of each of the persons so required to be reported, so far as the same can be ascertained. This examination must be carried on by the State Board of Eugenics, and not delegated to the several institutions.

Such hearing is in the nature of a trial; it is a legal examination by the said Board of Eugenics for the purpose of ascertaining the truth of the report concerning all persons whom the superintendent shall have charged and reported as fit subjects to be sterilized."

The friends of the sterilization law of 1917 felt that it was weak in spots—as it undoubtedly was—so they made an effort to bolster it up by introducing a new law which was passed in 1919. The text of this law is given in the Appendix.

The 1919 law was exactly like the 1917 except that it enlarged the scope of those who came within its purview to include all defectives and degenerates of the classes named, outside the state institutions as well as inside them. This made it impossible for the Court to adjudicate the law as unconstitutional on the ground of its being class legislation. The new law anticipated subjects residing in all counties of the state so the right to appeal as given in the 1917 law "to the circuit court of Marion county" was changed to read "to the circuit court." As there are, of course, many circuit courts in the state, this made the legal procedure still more indefinite than that stipulated in the 1917 law, which was already considered weak in this respect. As such a law does not fall naturally into either the civil or criminal class, but is special in its nature, the procedures as prescribed in the statutes are not deemed to apply.

The 1917 law was not specifically repealed, and there was nothing in the new law repugnant to the earlier one, although it would

seem to supersede the earlier one and have the effect of rendering it void. However, when the Oregon laws were codified in 1920 both laws were included in the statutes.

A full report of the successful and beneficial operation of the law in Oregon is given in the chapter devoted to that phase of the subject. Also, the most favorable attitude of the heads of the state institutions and the state board of health toward the law.

### Mr. Garland and John R——

But lurking in the offing, ready to spring upon the sterilization law at the first opportunity was Mr. Tom Garland, a lawyer, of Portland. He had rushed into print on the subject in the contributors' column of the daily papers. He thought he had his test case and his man when John R., an inmate of the State Penitentiary, was persuaded to refuse to submit to the order of the State Board of Eugenics directing that he be emasculated. Mr. Garland sent the following notice to the State Board of Eugenics and to the Warden of the State Penitentiary:

"I hereby respectfully notify you for John R., an inmate of the Oregon State Penitentiary at Salem, Oregon, and on his behalf, that he appeals to the Circuit Court of Marion County, Oregon, from the decision of the State Board of Eugenics, wherein he was condemned to be subjected to be sterilized, under chapter 264, 1919 Session Laws.

I also notify you that he requests and demands a jury trial upon the merits of this case, when the same is tried out in said court.

I also ask you to do me the courtesy of sending me a copy of the written Findings of said Board in this case, and a copy of the Order of the Board in this case.

(Signed) Tom Garland. On behalf of John R."

After thinking the matter over John R. reconsidered and "backed down" as evidenced by the following letter:

"Mr. Tom Garland: Dear Sir, I am writing you these few lines to thank you for your prompt attention and kind assistance in my behalf, I have given the case my attention, and in fact I have worried a great deal, I have been a thief for 20 years fifteen of which I have spent behind prison bars, and about half of that in dark cells and solitaries. I have tried and tried hard at times to reform, but instead I have always just fallen harder than before. I am convinced that the officials are trying to help me so I am going to give them a chance, of course this may not do any good, but I don't see where it can do me much harm as you know I am pretty near nothing as it is. I have not been urged or persuaded, but I have merely made my choice. Well good-bye for this time, thanks to you and Mr. McClaren, I will write to you both later.

(Signed) John R."

The Record of Investigation by the State Board of Eugenics showed that this man whom we call John R was "a sexual pervert

as well as confirmed criminal." Also, that he "served two prior sentences in this institution and one in California State Prison. One of the charges he served here for was sodomy. Is continually plotting."

John R. was 31 years of age. He was operated upon on May 18, 1921, and the prison officials report a marked change for the better.

### **Cline vs. State Board of Eugenics**

Comes now one Jacob Cline, aged 66 years, sent to the penitentiary from Douglas County for a crime against a small girl. The State Board of Eugenics directed an operation sterilizing Jacob Cline. Mr. Garland found his chance. An objection was filed with the Secretary of the State Board of Health, and an appeal was taken to the Circuit Court of Marion County.

### **Decision of the Circuit Court of Marion County on the 1917 Law**

As stated before, there remained upon the statutes the 1917 law. The Court declared this law unconstitutional, for the reason that it was confined in its operation to the inmates of certain institutions, and, therefore, class legislation.

Legislation which affects only those unfortunates and malefactors against the laws who are under public restraint does not seem to me to be an arbitrary or artificial distinction of class, but, on the contrary, a reasonable distinction based upon a natural principle of public policy. Such legislation should, therefore, be sustained as a reasonable exercise of the police power. It is not intended that the equality clause of the constitution should restrain the police power of a state for the protection of the public safety, health or morals.

Oregon has a "commitment law" which makes it possible to lawfully take any feeble-minded person in the state into custody and place them in state institutions, or, under the surveillance of a state board; all insane persons are liable upon complaint and examination to commitment to state institutions; certainly all criminals are liable to arrest and imprisonment upon apprehension. So, at any moment any person in the state of the classes included in the sterilization law are liable to become inmates of institutions, or involuntarily placed under public restraint. On the theory of the greater including the lesser, the 1917 Oregon law authorizing the sterilization of these classes would not appear to violate the constitution any further than a law providing for the seizure of their persons.

However, as the second law upon this subject included in our statutes obviated this difficulty, the decision of the court was not vital. The profound legal brethern killed the 1917 law with a

single stroke and with a great creaking of legal machinery moved on to the 1919 law.

### Decision of the Circuit Court of Marion County on the 1919 Law

As this law specifically included all "feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits, would probably become a social menace, or a ward of the state," whether in the state institutions or outside them, it was able to pass the court in the question of class legislation. But since the memory of man runneth not to the contrary, the legal profession has ever been behind in the march of progress. Trust them to find the hairsplitting technicality!

According to the opinion of the Court, Jacob Cline was about to be deprived of life without due process of law.

We find him in court with able counsel, fighting sterilization, which, to the layman, would appear to be something of a process of law. If he had had no money the law provided that the state should appoint and pay his counsel. All this to protect Jacob Cline's power of procreation—a power so little under the control expected of normal beings, that he violates little girls. Into the intricate processes of legal reasoning by which the court arrived at the conclusion that this rapist was being deprived of life, a mere doctor of medicine will not presume to delve.

The law expressly provides that the operation for sterilization be for the betterment of the physical, mental, neural, or psychic condition of the subject. Is it not just as much of a relief to the subject as compulsory vaccination, the removal of an appendix, or any of the involuntary treatments to which inmates of an institution are subject without process of law?

Are parole-breakers not returned and re-imprisoned without trial and without process of law?

Due process of law has been defined as follows: "Due process of law requires an orderly proceeding, adapted to the nature of the case, in which the citizen has an opportunity to be heard, and to defend, enforce, and protect his rights. A hearing or an opportunity to be heard is absolutely essential." (Cited from *Stuart v. Palmer*, 74 N. Y. 183, 30 Am. Rep. 289, in *Black's Constitutional Law*).

The Oregon law provided that in all cases in which an order to sterilize was made by the Board of Eugenics, a copy of such order should be served "forthwith" upon the person against whom the order was directed, or, in cases of disability, upon his guardian, next of kin, etc. If the person objected to the operation he, or someone in his behalf, was given the right to file an informal objection with



the Secretary of the Board of Eugenics within fifteen days after being served with a copy of the order. Upon this notice the Secretary of the Board was required to file an appeal in the circuit court within fifteen days after his receipt thereof, or within such further time as the court or judge thereof might allow. Thus the subject was guaranteed thirty days from the time he was served with the order for sterilization to file his appeal in the Circuit court.

As to due process of law, the Court admits the possibility of a favorable construction on the provisions of the law in the following words:

"We realize that if a trial, after due notice, before an impartial judicial tribunal having competent jurisdiction is provided, even by way of appeal only, the constitutional guaranty is preserved, and that an appeal from the judgment rendered after such trial, need not be prescribed. . . ."

Now it is held by all state and federal courts that every act of the legislature must be presumed to be constitutional until the contrary is shown beyond a reasonable doubt. Before a statute is declared unconstitutional its repugnance should be clear and free from doubt. Surely the opinion of the Court as quoted above in which they admit and "realize" that the right of appeal to a court of competent jurisdiction constitutes due process of law, would place this legislative enactment in the class concerning which there would be more than a reasonable doubt as to its unconstitutionality.

I think the reader will hold with me that Jacob Cline had his day in court.

### The Court's Real Reason

In its opinion the Court declared itself to be influenced by the recent decisions of other states against the constitutionality of the sterilization laws, citing some three or four decisions. It is greatly to be deplored, however, that the Court failed to point out the radically different points upon which these decisions rested, and that it made no attempt to analyze the widely differing provisions of the state laws involved, in order to show in what way or ways the case before it was analogous with the influencing decisions.

As a matter of fact there have been but two decisions (other than the Oregon one) against the sterilization law on the grounds of its unconstitutionality as a deprivation of due process of law. These decisions were upon the Indiana law and the second statute of Iowa. The Indiana law, which was the first one passed and extremely crude, provided for absolutely no hearing. The subject was simply passed upon by a board of physicians and if in their opinion procreation was inadvisable, they performed the operation. The Iowa

statute provided for sterilization of prisoners on order of the State Board of Parole after a private hearing before the Board, not open to the public, and of which the subject was not advised until ordered to submit to the operation.

Surely the provisions of the Oregon law for the protection of the constitutional right of the subject to due process of law are not to be compared with the provisions of the two laws mentioned above.

It is obvious that the Court was not influenced by the legal aspect of the decisions cited, but rather by the feeling that the courts of other states were evidently rejecting the principle involved in sterilization legislation.

### **The Principle Involved**

It is not for the Court to pass upon the principle involved. It has, after due consideration, been accepted as a scientific fact by the Oregon Legislature that a degenerate will transmit degenerate and undesirable qualities somewhere in his line of descent. Upon this scientific fact it has based sterilization legislation. It is not for the courts to question the underlying principle but merely to consider the constitutionality of the legislation.

To protect unborn generations our Supreme Court held it constitutional that the hours of labor for women should be limited, at the risk of an invasion of personal rights, on the grounds that overworked potential mothers make for poor progeny, and, is, therefore, a subject of vital interest to the public welfare. (*Muller vs. Oregon* 48 Or. 252). Would it then be a far cry to stop the procreation of degenerates by medical treatment of the potential parents of such undesirable citizens?

### **No Appeal From the Decision of the Circuit Court of Marion County**

As to the reason the case did not go to the Supreme Court of Oregon, I quote below from a letter written to me by Attorney General Van Winkle:

"I will state that upon consideration of the statutes of this state relating to appeals and of the fact that the proceeding in question is special in its nature and that the statute providing for it contains no provision for appeal from the circuit court to the supreme court, it being provided to the contrary that 'if the court (meaning the circuit court) fail to affirm the decision of said board appealed from, then said order shall be null and void and of no effect,' it appeared that there were no further steps that could be taken in the matter. The order of the circuit court precluded any further hearing in that court and there were no means provided by which the matter could be carried to the supreme court."

So after fifteen years of fighting we must begin all over again!

## CHAPTER VI.

### WHAT OREGON OFFICIALS AND OTHERS THINK OF THE STERILIZATION LAW

August 18, 1922.

My Dear Doctor Adair:

Your request for a detailed report of our experience in the operation of the sterilization laws would require a very long article. Briefly, we have sterilized and unsexed a few hundred cases with splendid results. Many persons are outside of the hospital taking their places in society and have become useful citizens through the benefits of this act. We are now, however, prevented from carrying on this work through a decision of the court which has not yet been carried to the Supreme court. I am decidedly of the opinion that it is wrong to discontinue this work.

Yours truly,

R. E. Lee Steiner,  
Superintendent Oregon State Hospital.

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By Dr. J. N. Smith, Superintendent of Oregon State Institution for  
Feeble-Minded

(October, 1922)

After the passage of the law, now known as the "Eugenic Law," and the formation of the State Board of Eugenics, a campaign of education of the general public was begun. The opposition was very strong at first, and it took considerable time and patience before much progress was made. We put no one before the Board without first obtaining the consent of their parents or guardian. In the beginning there was considerable objection from the parents, and it was our object to educate the people, rather than to force it upon a patient without the consent of the parents. The law was designed to allow the Board to order such an operation performed without the parents consent, if, in their judgment from the facts of the case, such a course would be beneficial to society. By the time the law was declared unconstitutional, the general public had a very fair knowledge of the law, its purposes and results. We had operated on 25 or 30 cases at this Institution, all with the consent of their parents, and had prepared a list of 30 more, which would have been placed before the Board at its next meeting.

The operation of the law had a very good effect on the morale of the Institution. It was not applied to those cases which were purely custodial and who had no chance of being released from the Institution. Except in cases of sexual perverts, we worked only with the higher grades of patients, who were likely to be released. This law gave those whose release was otherwise doubtful, a chance to be released after having the operation performed. If the next legislature will pass a similar law which will be constitutional, we expect to operate on all the higher grade patients. There is practically no opposition now on the part of the parents, and we think the benefit to society of these operations, when the patients are released, is very great.

Some of the patients, on whom we operated, are now outside the Institution, working in various positions, and getting along all right. We are careful to release them only to such places as we know they will have responsible supervision. While this effect of the working of the law is more or less experimental, the results achieved to date justify us in continuing such a course, as soon as we have the legal right to do so.

The operation of the law will be of great benefit to the State. It prevents the birth of further feeble minded and degenerates, thus relieving the State of their care at some future date, and relieves the State at present of the care of the patient operated upon, they being released as soon as places can be found for them where they will be self supporting, or returned to their homes, if conditions there permit.

The passage of the Eugenics law was largely due to the energetic efforts of its author, Dr. Owens Adair, who deserves much credit for her work and interest in the social welfare of the State. Dr. Adair was also the author of the Mental Examination Before Marriage bill, which was referred to the people by the last Legislature, and defeated by a narrow margin in the general election. Both these bills, if any progress is to be made in the solution of the problem of caring for the ever increasing number of feeble minded, degenerate, insane and criminal, who fill to capacity our already large State Institutions for these purposes, we think are necessities to the welfare of the State.

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### Perpetuating the Unfit

By George Putnam, Editor of Capitol Journal (Salem, Ore.) 1922

One of the most interesting as well as one of the most depressing places to visit about Salem is the Feeble Minded Institute. A

visit to it is well worth while, and one that everyone should take to increase his knowledge of mankind.

Here is an institution, one of the most modern of its kind, involving an investment of some hundreds of thousands of dollars, necessitating close to \$200,000 a year for maintenance, admirably and efficiently conducted, devoted to the perpetuation of the human unfit, to defying the law of the survival of the fittest, and setting aside nature's safeguard for society—the ruthless extermination of the mental, physical and moral incapables.

Inmates of the institution range from the harmless feeble-minded adult to the infant imbecile. Records show that probably 95 per cent of all the inmates are the progeny of subnormal parents—mental and physical defectives, of jail birds and lunatics. And our most efficient civilization, not only sanctions their breeding but kindly looks after the offspring.

In one of the fine modern structures maintained by an indulgent and sentimental people for the perpetuation of the unfit, is a large ward full of cots occupied by infant idiots ranging from a few weeks old to several years, of pathetic looking doll-like tots, some with silken locks and waxen skins and lustrous eyes that will be forever sightless, whose delicately moulded mouths will be eternally voiceless, whose shell-like ears will never hear a human sound, and whose warped and twisted limbs will never bear the weight of the frail little bodies—whose candle of life began to flicker out with birth and in a few years will be completely extinguished. Yet the attention of skilled attendants is constantly required to keep alive for a few fleeting minutes the futile lives.

There is no possibility of these poor little victims of the sins of society ever attaining maturity, of ever securing the use of their brains, their senses or their bodies, yet they are perpetuated in misery by the maudlin sentimentality that tinkers with the result and lacks the intelligence to grapple with the cause.

Scientists tell us that embryology illustrates the evolution of humanity and that every phase in the countless eons of time in the slow and painful ascent from animalcule to man is revealed in the progress of the human embryo. Consequently when we see a case of arrested or dwarfed development, we can be quite certain that the natural growth of the embryo has been halted at a stage which man had reached at a corresponding period in evolution's history.

There is among other cases at the Institute a curious, queer, creepy little creature resembling a monkey more than a child, an affectionate animal that loves to climb and exercise in Simian fashion that though practically brainless, with a head smaller than a boy's fist, and harder than rock, has a certain intelligence and can be taught primitive tricks. At some stage in the embryo's develop-

ment, progress stopped and the hands of the clock were turned back a million years for what should have been a man.

And this is but one of many similar cases, varying in degree and form which can be found in this and all similar institutions, and whose existence society defies the law of nature to perpetuate, although they can never be anything but a useless care and burden upon normal humanity.

Science has recently discovered that the glands play an all important part in the functioning of the various organs of the body just how vital a part is not yet fully comprehended, but we know that when certain glands are not properly developed and do not function that the parts of the body for which they act as regulators become over or underdeveloped with the result that the stature may be increased abnormally or decreased, that the giant or the dwarf may result from the lack of harmony. - Not only is the physique affected, but the mentality as well—and apparently beyond remedy.

Among the human freaks resulting from this glandular discord at the Salem institution is a 16 year old child with a head so large that it can never sit up but is doomed for life to lie and be tended in all its wants like a baby. It has a certain rudimentary glimmering of intelligence for it has been taught to run the phonograph, but its life must be forever useless and a burden upon humanity. And yet it is probably doomed to live for a long time—so excellent is the care with which it is nourished. It is part of our scheme of civilization to see to it that all such unfit survive, no matter what happens to the fit.

These are, of course, the most hopeless and forlorn glimpses to be seen at this well managed institution. The largest percentage of cases are those with subnormal mentalities, with healthy or semi-healthy bodies, capable of being taught the rudiments of industry but incapable of taking care of themselves. Closely supervised they are capable of limited useful production but turned adrift would soon become derelicts incapable of aught save perpetuating their species for others to provide for.

It is the modern tendency to control and remove all those natural checks upon the survival of the unfit that have always served to eliminate them and for violating these laws of nature society is paying the penalty in the constantly increasing number of the unfit. We can expect a still more rapid increase as society becomes more decadent, unless some check upon the reproduction of the unfit is provided, and we will experience a tremendous growth in feeble-minded institutions and asylums, as long as a mawkish and sickly humanitarianism persists in seeking to save to useless lives those damned by the sins of their parents before birth.

**Court of Domestic Relations**

State of Oregon, County of Multnomah

Portland, December 4, 1922.

Dr. B. A. Owens-Adair,  
Warrenton, Oregon.

My dear Doctor:

The past three and one-half years as judge of the Court of Domestic Relations of the State of Oregon for Multnomah County, have brought me in close contact with the problem with which you have been contending so long.

The most startling revelation in my work is that so large a percentage of our delinquent and dependent children are brought into the world with subnormal minds.

The phrase, "Mens sana in corpore sana" (a sound mind in a sound body), has been ringing down the ages for more than two thousand years, but little heed has been given to the transmission of "the sound mind." All thoughtful persons agree that a child should have the right to be well born, that is, the right to inherit a sound mind as well as a sound body.

But the question is, how can these indisputable claims of unborn children be safeguarded when we permit feeble-minded persons to propagate their kind, knowing that if both parents are feeble-minded, THEN ALL THEIR OFF-SPRING WILL BE FEEBLEMINDED.

The remedy lies with our thinking men and women who must dedicate themselves unflinching to the enactment of laws which will prevent feeble-minded persons from reproducing their kind.

Sincerely yours,

JACOB KANZLER,

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**Protecting Our Birthright**

By S. C. Kohs, Psychologist, Court of Domestic Relations

Portland, Oregon, November 29, 1922.

The difference between intelligent and unintelligent human beings is fundamentally, the difference between the two to observe cause and effect relations, and to profit by experience.

For over hundreds of years we have attempted some sort of program to handle the socially and mentally unfit. Our attitude in the

past has been one of attempting to make it easy and comfortable not only for these cacogenic strains to exist, but we have even gone so far as to facilitate their multiplication. For instance when Dugdale, almost half a century ago, located that social sore, the Jukes family, he found them concentrated in one isolated section of New York state. Recently the thread was picked up where Dugdale left off, and Estabrook now finds the Juke family scattered throughout the entire United States, each single Juke almost, a point of origin for a new Juke family. The cost to the American people of allowing this family to multiply itself to such enormous proportions cannot be estimated, the sum is such a huge one.

But there are many families whose history parallels almost exactly that of the Jukes.

When shall we begin undertaking a rational and effective program for the limitation and the elimination of these contaminating strains. Just as a poison trickles through the soil, annihilating all wholesome and desirable vegetation within its range of influence, so do these unfit strains pollute and undermine and destroy the health and vigor of our American manhood and womanhood.

It is about time that proper legislation is universally adopted for the limitation and elimination of the racial poison of mental and social unfitness. This can best be accomplished by the passage of adequate marriage and sterilization laws. It is about time that we recognized more generally that the rights of society and its perpetuation are superior to the individual rights of any single or any group of human beings.

We have been given a splendid birthright by our forefathers. Let us rise to our responsibilities and protect it.

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By Mary Drain Albro, Portland, Oregon

It has been said by the learned of today that organized womanhood will rule America and in view of the fact that they have secured the adoption of Woman's Suffrage and Prohibition and when we realize that they are organizing on every hand for the betterment of mankind, we believe that this statement may be true.

A short time ago I was detailed to one of our institutions for the treatment of venereal diseases and as the girls ranging from ten to twenty years of age suffering from the most horrible phases of these diseases, with minds in most cases a little less than normal for girls of half their years, filed in and out of the surgery for their treatments, I wonderingly asked the surgeon in charge, "Tell me, what is the direct cause of this terrible degeneracy?" He pondered a



minute and said, "The sins of the parents are visited on the children. It is the result of crime, liquor and disease."

The women of today have eliminated one of these evils—liquor—why not wipe the slate clean and adopt Dr. Owens-Adair's Sterilization Bill and give to America, parents mentally, morally and physically able to produce only children of which we, as Americans, can be proud—and will in another generation assume the great responsibilities of carrying on these great reforms and putting the asylums, detention homes and penitentiaries out of business.

We believe the misinterpretations of the term "Sterilization" has handicapped this Bill but its enforcement does not rob the more unfortunate of love and home, which is the right of every human being, and God has said "It is not good for man to be alone."

I have worked in my profession more than a score of years, the last few as Health Inspector of Portland City Schools, which covers the largest body of children in Oregon. In the seventy elementary schools alone we have an enrollment of thirty-four thousand, five hundred and fourteen pupils; I have not arrived at this conclusion without great deliberation and much conscientious study, being imbued with the thought that our fellow citizen, even though unfit, should not be denied the right of propagation, yet how my heart has sickened at the sight of the deformed and diseased bodies, and the idiotic minds of a large per cent of our school children. How many times, with my sister nurses, have we dragged these helpless children to every known specialist in our city, seeking health and correction for their defects, only to see the physician shake his head and say, "There is no hope." Where is not the true man or woman who would not forego the pleasures of parenthood to save their offspring from such a fate? Where is not the true man or woman of higher intellect who would not co-operate in every measure to save the parent from this terrible grief and by the enforcement of this good law, help them to eliminate themselves in a few generations?

Oregon women, we are sleeping, let us awaken, put our shoulders to the wheel and do our share in supporting, advocating and voting for ALL measures to improve the health and the morals of the coming generation. Does not Dr. Owens-Adair hold the key to the situation?

Who of us can doubt the love and truth of this great physician, this pioneer woman who has hewn the trail for the rest of us to follow, whose heart is as true as the sun for Oregon, its people and posterity?

May she live to see the battle won and wave high above her courageous head the shining light of victory!

Your respectful, devoted Oregon child,

MARY DRAIN ALBRO.

## CHAPTER VII.

### MISCELLANEOUS

#### A Word About the California Sterilization Law

When I landed in Paso Robles on October 27, 1921, I went to the Paso Robles hotel, consulted the physician then in charge and asked if California had passed a sterilization law. He said "No." I told him I knew they had had one but that I had heard it had been repealed. He said "If they ever had a law I never heard of it." Soon after that I sent the following letter to the Journal (Portland, Oregon) which speaks for itself:

#### THE STERILIZATION LAW

##### Dr. Owens-Adair Writes, Announcing a New Campaign

Paso Robles, Cal., Dec. 17, 1921.—To the Editor of The Journal—I have just received a letter from Dr. R. E. Lee Steiner saying the sterilization law of Oregon has been declared unconstitutional. It is unnecessary to say I was shocked. But as I am so accustomed to disappointments and reverses I am happy to say I am not prostrated. Disappointments and reverses have always aroused me to greater effort, and I am expecting to be ready for the next contest. It took 10 long years to get that sterilization law on the statute books. Then for nearly five years it withstood storms of vicious and malicious criticism. It was a beacon light of hope. If it has received its death blow it has left a glorious record. "From death comes life." Sterilization cannot die until the great work has been accomplished. In 1909 Governor Chamberlain cut its head off. In 1913 Governor West redressed and christened it with a quill pen. I went home happy, not knowing that the great referendum was at my back. The newborn infant was gobbled up, and the struggle began. Humanity's love of the child, home and native land, against ignorance, greed, selfishness and lawlessness, lined up. Sterilization received over 41,000 votes, which meant victory out of defeat. On February 19, 1917, Governor Withcombe placed the law upon the books, where it remained nearly five years, a beacon light, due to the faithful officials of the various state wards.

There are now 15 states that have sterilization laws. Several of the states had their laws repealed and amended several times. The people are becoming aroused by the great increase in crime and degeneracy. The churches are now taking it into the pulpits. This is the most wonderful advance, and means power and success. I don't believe there is a state in the Union so well educated along this line as Oregon. The newspapers have kept the public well informed since 1907. Besides, they have had the advantage of two referendums.

I have asked many people since coming to California, "Have you a sterilization law here?" "No," or "I don't know," has invariably been the answer. Few know what it means. I asked the doctor at the big hotel here, "Did California pass a sterilization law last winter?" He said "No." "But," I said,

"She did have a sterilization law in 1909. Was it repealed?" He said "I never heard of it."

I have received a pamphlet sent out by the American Medical Association which gives the states having the law. Oregon is not reported. I wrote to all the states having a sterilization law for copies of the law. I received a copy of California's law within three days. It was enacted in 1909, repealed by the enactment of another law in 1913, which was amended in 1917, continuing it in force. I wrote to Mrs. E. H. Harriman of New York. As soon as the mail could bring it I received some literature, including a history of sterilization legislation in the United States up to date. Also a letter thanking me for my letter to her. Mrs. Harriman is at the head of this great work in New York, which has had the law two or three years. She said, "What is the matter with the American people? Fifteen millions ought to be sterilized." With her many millions she is executing this great work.

I am now writing a history of the work done in Oregon for hygienics, eugenics and sterilization since 1907, which will be made up principally of letters from people of note, statistics and magazine and newspaper clippings bearing on this subject, together with my comments.

Mrs. Owens-Adair, M. D.

(The decision to which Dr. Owens-Adair refers in her letter was rendered in a circuit court, and is open to reversal by the state supreme court. It is therefore not necessarily final.—Editor.)

Later, the regular doctor of the hotel returned and took me to task saying that the clipping had been sent to him asking what was the matter with him that he knew nothing about sterilization. He declared he was in favor of such a law. I then showed him that California still had the law, of which he had not heard. And it has always been said that California is away ahead of Oregon! And why is this ignorance concerning this important law? I answer, because, first of all **the people** are not educated along these special lines. In 1909 both California and Oregon passed the law. Governor Chamberlain vetoed the Oregon bill and that added much to the newspaper discussion of the subject which I kept before the public in every possible way. I contend that newspapers and magazines are the great educators of the people. I never allowed an opportunity to escape though it was looked upon as an indecent subject. But it has passed through so many refining processes that it is now clean and thoroughly disinfected! In 1913 my bill became a law by Governor West's signing it; then it came under the referendum and piled up a vote of over forty-one thousand. In 1917 it became a law in spite of the attempt to get a referendum.

The inadequacy of the California statute as to prisons is best illustrated by something that occurred in 1920 while I was in California. There had been an epidemic of fiendish assaults against innocent girls in California, culminating in a brutal attack upon young girls by a "gang" which resulted in three murders and three lynchings.

Upon this occasion I was interviewed by a reporter from The Bulletin (San Francisco) and the following article appeared in that paper on Dec. 14, 1920:

### STERILIZATION IS ADVOCATED TO PREVENT ATTACKS ON WOMEN BY BRUTES IN CALIFORNIA

Sterilization to prevent attacks on women by brutes of the Kruvosky type is advocated by Dr. Owens-Adair of Astoria, Ore., first practicing woman physician in the Northwest and author of Oregon's sterilization law of 1917. Dr. Owens-Adair is visiting this city.

That the epidemic of fiendish assaults against young girls demands added protection for the community over and above that furnished by imprisonment, is the opinion of this distinguished woman, who for more than 35 years of medical practice has been one of the authorities of her State on the subject of social protection. She advocates an inauguration in California of a system under which a board passes upon the mentally and physically unfit, and provides a remedy.

"Measures must be taken to safeguard the community," said Dr. Owens-Adair today, discussing the cases now in the public eye that have resulted in three murders and three lynchings. "In California you have the situation of the protection being deferred until emphatic tragedy drives home the essential truths. In Oregon we faced a similar condition until it was met directly by legal means. My law has been declared to be the finest on the State statute books on account of its far-reaching effect as a community protection.

"In insane asylums and other institutions where there exists a close relation of sexes some protection was needed. This was accomplished by sterilization where subjects were investigated by a board of inquiry that determined them unfit to propagate their species. There has been worked no impairment of health and much good has resulted. Community welfare has been absolutely protected beyond possibility of doubt.

"California once had such a law; repealed, as I understand it, some five years ago. This was a great mistake. Such crimes as the Kruvosky attacks against innocent girls, replete with fiendish tales of degenerate brutality, would be prevented if such men were rendered incapable of committing such crimes. Is there any room for argument when the purity and sanctity of women are concerned?

"The Oregon law also guarantees a clean race to come through its provision for medical inspection of men before a marriage license is issued. I am now preparing a bill to go before the next Legislature dealing with women in the same manner and mental inspection of both as well. A defective woman is just as dangerous if not more so, than a man and should be regarded as a community problem."

Dr. Owens-Adair is a graduate of the University of Michigan with the class of 1880. She is one of the best known women in the Northwest and is the author of many State Statutes now in force in Oregon.

On December 20th, 1920, the following news story appeared in The Bulletin:

**RADICAL LAW TO CURB ATTACK ON WOMEN IS URGED****Berkeley Defense Corps Adopts Resolution Advocating Sterilization As Minimum Penalty****DEATH AS MAXIMUM SENTENCE****Corps Issues Call to All Fearless Organizations to Assist in Securing Passage of Law**

Calling on the legislature of the state to enact legislation providing for sterilization or the death sentence for those convicted of fiendish crimes against womanhood, such as have been perpetrated recently, the Berkeley Defense Corps last night went on record as advocating the maximum penalties for such crimes.

The Corps took this action following a discussion in which it was brought out that men guilty of the outrages, should be deprived forever of the incentive to commit such crimes, and not, in a few years, as is the case at present, turned out upon society again. Sterilization as a minimum and the death penalty as a maximum were advocated by the corps, which has issued a call to all fearless organizations to back them in their efforts to secure the passage of the law.

**To Petition Legislature**

The resolution follows:

Whereas, the criminal records of the state of California discloses an appalling number of crimes committed by thugs, criminals, halfwits and imbeciles against the womanhood of our state, these unspeakable crimes being committed by both individuals and "gangs," and

Whereas, the penalty imposed upon these fiendish criminals is usually a short prison sentence, at the expiration of which they are permitted to again enjoy the benefits of our great state, and given their liberty with opportunity to commit even more fiendish crimes against innocent girls and decent law abiding women, while the girls so assaulted are, through no fault of their own, doomed for life to carry an unforgettable stain on their reputation and character, and in many instances forfeit their opportunity to consummate a successful marriage and suffer complete ostracism from society.

Therefore, be it resolved, that we, The Berkeley Defense Corps, an organization of loving husbands, fathers and brothers, call upon the legislature of the state of California, in their next session assembled, to adopt such laws as a permanent protection to the virtue of our womanhood, as will impose a penalty for rape or gang outrages, of sterilization of the guilty party or parties as a minimum penalty, graduating up to maximum penalty of death on the gallows, depending upon the seriousness of the crime.

And that we call upon other organizations of a fearless, outspoken character, to support this legislation by insisting that their representatives and senators vote for its immediate incorporation into the laws of the state of California.

**McHale Discusses Resolution**

In speaking of the resolution, Vincent McHale, secretary of the Corps, said: "While we realize that the discussion of things of this character is a delicate matter, we are more firmly convinced that the virtue and honor of womanhood in our state is the noblest gift to humanity, and we are going to insist that safeguards be thrown round our beloved ones. We believe that

with the women of the state voting, together with the decent element among men, that a law of this character would carry by an unprecedented majority. We are going to ask our representatives and senators to follow their conscience and put the law through the next legislature."

A few days later I received the following letter from Mr. V. R. McHale, Secretary of the Berkeley Defense Corps:

Dr. Owens-Adair,  
Astoria, Oregon.  
Dear Doctor:

My attention has just been called to an article by you which appeared in "The Bulletin" of San Francisco on the same day that The Berkeley Defense Corps adopted the resolution described in the enclosed newspaper clipping.

We seem to be heartily in accord on this proposition, and I am wondering if you won't be good enough to supply me with as many facts as possible that will assist us in placing such a law on the statute books of California.

I would like if possible a copy of your law, and statistics showing how the law has worked out in actual practice. Has there been a noticeable decrease in crimes of this character, and is the law being enforced by the authorities? Have you kept a record of how many times this penalty has been enforced?

Some contend that the enforcement of a law of this character creates a criminal who when he is released from the penitentiary is imbued with the desire to wreck vengeance upon those responsible for his punishment, and upon the authorities who carried out the judgment of the court. Is their any basis of truth to this assertion?

Any information you can give me on any of the various angles of the question will be greatly appreciated.

Sincerely yours,  
V. R. McHALE, Secretary.

Later, after I had returned to Oregon, a correspondent wrote me from California as follows:

"I saw an article in the paper a week ago I meant to cut out and send you but was so busy it went by and I forgot it. It was in connection with this "Spud" Murphy, the gangster, when he was convicted. The Judge gave him the fifty years and said that he hoped the Prison board would never parole him as he was a menace to society. He said that it was exceedingly unfortunate that the sterilization law was not in effect here as that was the only way to solve a case like that. The affair is all over now and the men in prison and so I hope the town will settle down to normal."

Does it not seem beyond understanding that California should have had a law so successful in its operation in some of its institutions, which by a simple amendment could be broadened to include all inmates of prisons (at the discretion of the proper authorities) instead of the small class of recidivists now included, and the citizens of the state, and the newspapers, seemingly knowing nothing

of the law? Had the Oregon law been in force in California those men would have been dealt with. Or, the people would have had a proper amendment to their statute, for the people were up in arms.

## A WORD ABOUT THE AUTHOR'S WASHINGTON ACTIVITIES

The following correspondence and newspaper articles will show my connection with the Washington legislation.

### STATE OF WASHINGTON

Legislature of 1907

Senate Chambers, Olympia,

Dr. Owens Adair, North Yakima, Wash.

Walter J. Reed

Fifteenth District

North Yakima.

Dear Doctor—I received your letter yesterday afternoon and your bill has been introduced in the Senate today. I had to get one typewritten to conform with the rules of the senate and the enactments of the state. I return you the original. The reason I send this back to you is that you may need the names of the physicians who have signed this. Just as soon as the bill is printed which will be in a few days I will send you some copies to Astoria and will send some to Dr. Hill at Yakima. It is so late in the session I cannot expect the bill to pass, in fact there are so many bills on the calendar that half of them will or cannot be considered, yet the people will be educated up to the necessity of a measure that is certainly of great interest and benefit to coming generations.

I am very sincerely,

WALTER J. REED

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## TO STERILIZE THE INSANE

**Dr. Owens-Adair Would Revolutionize Treatment of Certain Cases—Former North Yakima Woman Has Four Champions.**

Dr. Owens-Adair, the well known physician, who arrived in the city early Monday afternoon to visit her son, Dr. G. J. Hill, is responsible for a bill which has been introduced in the Oregon legislature, and which will be introduced in the Washington legislature. The bill relates to the sterilization of degenerates, insane, feeble-minded and certain classes of criminals, and promises to revolutionize the methods used in the treatment of insane cases. Dr. Adair left North Yakima about two years ago. For several years she practiced medicine in this city with great success, and she still retains large interests here.

That Dr. Adair is a specialist with wide knowledge of this class of cases and that her word in these matters is considered as expert authority is demonstrated by the fact that she has four champions of her bill in the Oregon legislature.

The bill is the most radical preventive legislation ever considered in the west. It provides for sterilization of all those convicted of statutory crimes, of criminal degenerates, of incurably insane and similar cases.

A remarkably strong sentiment in support of the bill has been discovered

in the house, especially among the Portland members, who have been connected with the boys and girls' aid society, Florence Crittenden home and juvenile court work.

"It should be impossible for seven generations of feeble-minded to descend, as has been the case in Oregon in one family," said one member who will support the bill.

"No idiot or maniac should perpetuate his strain," said another.

"The vicious degenerate could be made almost an absent factor by enforcement of such a law," said a third, "and every physician knows such a measure should be enacted and enforced," said the fourth man who will back the bill.

Mrs. Dr. Owens-Adair gave out the following in an interview with the Herald: "If the right hand offend thee, cut it off." I believe we should go to the very root of this great evil and cut it off wherever it may or can be found. I have little faith in the ultimate success of this pruning process. For the weakling and vicious are neither prunable nor teachable. They are a menace to the vitals of our nation, and should be regulated and controlled by the strong hand of the law. Love does not always go where it would be sent or most desired. It may come like the gentle cooing of the dove or the soft, sweet dewdrops in the balmy morn. Or, it may take the form of a violent passion and swoop down like a whirlwind of destruction, having no thought save its own selfish gratification. But love, however or wherever it is found, is, as a rule, deaf to reason or entreaty. Therefore I hold that marriage and propagation cannot be regulated or controlled by certificates of health and fitness from physicians or scientists.

"Yet, as the sins of the parents are visited upon the children beyond the third and fourth generations, it becomes our duty to rid ourselves of this curse of insanity and kindred evils. Are we not staggering under enforced taxation for the support of our weaklings, our monstrosities, our insane and our criminals? A large portion of this class could be rendered self-supporting by the simple operation of rendering each and every one sterile, which would prove a blessing to them and protect our commonwealth from further propagation of their kind. If we could have a law declaring that every repist and defiler of youth and virtue should be rendered sterile, what think you would be the effect. I believe it would be far more effectual than the penitentiary, the hangman's rope or the torch of the south. It is a well known fact that any animal when rendered sterile loses much of its vicious nature, and soon becomes docile, useful and contented. This law will hold equally as true in the human race.

What objection can there be to this humane law? To my mind, there can be but two: First, sentiment; second, what I would call false ideas of "personal rights."—North Yakima Herald.

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## DR. OWENS ADAIR TO SECURE PASSAGE OF MEASURE

**Secures Signatures of All North Yakima Physicians, Who Heartily Endorse Her Ideas**

"I may not be able to accomplish all I would like at this session of the legislatures of the states of Oregon and Washington in relation to the 'sterilizing bill,'" said Dr. Owens Adair Monday to a Herald reporter, "but you can rest assured that I will be on hand two years hence if I am still in the land of the living and with a force favoring its passage that will be felt."

The doctor has been very busy since coming to North Yakima to visit,



in securing the endorsement of the local medical fraternity to the measure which she has already had introduced in the Oregon legislature, and a similar bill which she will seek to have brought up at Olympia by Senator Reed. She has secured the signature of all the doctors here with the exception of two, and also had the endorsement of several of the leading physicians of Seattle.

"This matter is being brought up in this form," said Dr. Adair, "in order that men and women may think over this, one of the most serious questions before the American people. The idea is pronounced by a few as 'terrible' and 'inhuman,' but if those who oppose the measure will stop and do a little reasoning and post themselves, I believe they will arrive at the same conclusion that hundreds of the leading physicians of the land have, and that is that sterilization will solve the problem of perpetuating the insane and criminally inclined. The United States expends over \$500,000,000 a year in caring for these classes alone, and the people have it to pay. In Wisconsin a similar bill has been introduced and is being supported by the board of control and all the superintendents and wardens of penitentiaries.

"It is my purpose the coming two years to use every means for the dissemination of information and arousing the public conscience by meeting and discussing the matter with the women of the two states, the clubs, the preachers, the legal and medical fraternities, and I believe that when the legislatures again meet at their respective capitals two years hence an array of petitions will confront those bodies that will command the attention of those bodies, and I believe secure for the two states a law constructed upon the lines I have outlined in my bill. Then will the asylums for insane and the penitentiaries for the vicious become less conspicuous throughout the land."—North Yakima Herald.

As soon as my bill passed the house (Oregon Legislature of 1909) I left for Portland and took the night train for Olympia, on arrival went at once to the State house, at the close of the session I introduced myself to Senator Allen, to whom I had sent my bill, three weeks before by recommendation of Senator Beach and had asked him to introduce it for me. I found that instead of introducing it he had handed it to the committee on Criminal Laws. Said, the committee had found it so much better than any they had, that they had incorporated it in the criminal code. He handed me a copy of the code, and at once introduced me to the chairman and other members of the committee who invited me at once, to come before them, which I did the next day. I found by the code, that the power had been vested in the judge, at the time of commitment; this though a step in the right direction, in reality amounted to but little, as the judge might or might not use the power at his disposal, and it would not reach that great army already in institutions. The committee knew this and were anxious to assist me, but said they could not incorporate any more in the code. The committee thought the bill should come up as a separate measure, and the criminal code would give it strength. The next morning I went to the house before the session opened. The speaker received me with great kindness and at once presented me with a card, saying, this entitled me

to the freedom of the house. Later I received like courtesies from the Senate. I fully appreciated these honors, knowing that few women receive so much. I circulated my bill in both the senate and house. A member of the House came to me and said "I have that in my bill for the insane," "I am really glad if you have, but please let me see your bill." I found that he had taken it from the criminal code, nothing more. I said, "You surely must see that as your bill now stands it will not meet the requirements," "Yes, I do and I am willing to fix it up just as you say if it can be done; come and I will introduce you to the chairman of the committee and I will go to the Attorney General and see what can be done."

I said, "I want it distinctly understood that I have not come here to encroach upon any members rights, all I ask is that this bill shall become a law in this state. The passage of my bill in Oregon is enough honor for me." When we met in committee, the author of the insane bill said he could not get any assistance from the Attorney General as he was simply deluged with work, and besides any addition to this bill might retard its passage. After I had addressed the committee, it was decided that the bill should be introduced at once, with the hope of getting it through. One enthusiastic member suggested that I must go before the judiciary committee and explain the subject, as information was what they wanted, and he volunteered to arrange for the meeting, which he did and I said in part:

"This bill which has passed the Oregon Legislature is far reaching and is an issue of many sides and for fear that I may get off on a side issue and bore you I have jotted down a few essential arguments in favor of its adoption.

You will observe in the Criminal Code which is before the legislature for adoption, the power is invested in the judge only, and will not, when it becomes a law, reach the great army of unfortunates that are now in the various state institutions, and further, it is greatly desired, and is necessary, that the inmates themselves should understand that this is a humane remedy and not a punishment.

Therefore the power of recommendation for sterilization should be placed in the hands of the various boards of management, who are made up of intelligent men and women, who have the constant care and confidence of the inmates themselves, and who understand their needs.

And I tell you, my friends, it matters not where you go you can find that potent power of love, in some form, in all human and animal life; and if you can but touch that mainspring under favorable conditions you can assert your influence for good. Therefore, I say, give the recommending power to the board of management, who will call upon the physicians to diagnose and administer the remedy according to their best judgment.

This law has been tried in Indiana for two years and the results for good have been far greater than had even been hoped for. Out of 232 cases by Dr. Sharp alone all but six asked for the treatment.

The Oregonian said that the committee had ruined my bill by cutting out all the essential parts, which meant: The criminal insane, rapists, and convicts serving their second term. Now gentlemen, I asked the committee to substitute the Indiana bill for the one which had been introduced; for I knew

the pulse of the Oregon Legislature and I knew that the bill could not pass, but I would have you know that this bill is far reaching; it will restore that great class known as mastabators, it will send out perhaps twenty per cent of the feeble minded. It will greatly benefit the vicious and incurables, it will be administered as a balm of gilead to thousands of helpless victims, by cutting off the source of their destruction. And in time it will purify the great turbulent river of life, but cutting off the vicious and contaminating sewers of sin, disease and ignorance, and letting in the purifying light of knowledge. In conclusion I wish to emphasize that sterilization is not castration.

The man or the woman who has been sterilized has lost nothing except the power of procreation and to all such their loss will be their everlasting gain. It is the unreasonable loss of that life giving substance that brings disease, wretchedness and destruction. It is the presence of that richest of all, human products that gives health, strength and vigor to the body, beauty and lustre to the eye, and tunes the voice to soft and gentle notes. We love the virgin, we honor and adore the pure mother, and the pure father.

Sterilization is of recent scientific discovery which will revolutionize society, and in time. I hope it will solve the great question of race suicide and other social evils through its purifying effects."

Monday was the last day for the introduction of new bills, Dr. Christianson introduced the Indiana Bill. The docket was overcrowded and for want of time it met the fate of many others. I received a telegram on Monday calling me home. I left at 10 p. m. for home, having been absent nearly two months.

The following is interesting because the Judge referred to is Judge Chadwick of the Washington Supreme Court who was one of the concurring judges in the decision which declared the Washington statute constitutional.

When in Olympia I said to one of Washington's supreme judges: "Do you understand what sterilization is?" "I think I do in a way." "Would you like to have me explain it to you," I said. "Yes, I would." I did; then he said, bringing his fist down upon his desk, "that ought to be a law in every state in this union. When I was on the superior bench I committed one woman five times to the asylum, with every pregnancy, and I went to her husband and begged him to let her alone, but I suppose that thing will go on and on till this state will have 12 or 15 insane subjects to care for." There is a whole volume in what this wise judge said. His words were convincing and to the point and this is only one of many thousands of similar cases that go to the mad house yearly. In pity for all such unfortunate women I ask why should this be allowed when sterilization would not only shield and protect them but the public as well, I opine that the day is not far distant when every such unfortunate mother will have learned of this blessed remedy and will demand its application for her protection. Sterilization for women is simply to exclude the Falopian tubes, preventing the ova from reaching the uterus, thus preventing conception.

## Birth Control

I here present a good paper from Dr. Ella K. Dearborn of Portland, Oregon, on Birth Control, which is a by-product of eugenics.

Birth control, like sterilization, is not understood by the general public. It does not mean abortion, which is so much in use today by those who are able to pay for it, even though they must risk life and health. Birth control was first advocated by the first woman physician of Holland—the smallest country in Europe, I believe, and ruled by a woman—Queen Wilhelmina. I understand that Holland has a national birth control law by which she prevents congestion of the nation.

## Birth Control

### What It Means to the Family and the Nation

By Dr. Ella K. Dearborn

It is an injustice to both parents and child to bring an unwelcome baby into the world.

Most people find life hard enough at best, without being an unwelcome child in any home, and more so in a poverty-stricken one.

Some have feared that if birth control knowledge were given to the world, there would be no more babies, and unbridled lust become rampant. Is fear the chief ingredient of virtue and morality?

If so, we may as well expurge the two words from our dictionaries, and write FEAR in large letters.

People WANT homes and babies, but want them under proper conditions—the best conditions that our civilization makes possible, and restriction of propagation of the unfit, is the first step in making a place for those of better birth.

The 60 per cent of our population (those of 13 year old intellects) breed proportionately faster than the normal 40 per cent, because in them lust and nature takes its course, without the restrictions of modern intelligence. From them come the vast armies of criminal and insane.

Many of the 60 per cent do not know enough to take proper care of themselves, much less to care for their children, even when they have enough money for a comfortable living, if intelligently expended, and the lack of money easily pushes them into the criminal class.

Our first step in racial uplift is teaching birth control, thus limiting the unfit.

The second is eugenics—the art of breeding UP. Teaching those fitted to bear children, how to have the best babies possible.

teaching them the advantages and disadvantages of heredity, proper care and training of child in the right kind of a home. Lack of judicial home training is a large factor in the production of criminals.

Who have a right to bear children?

Any couple who wants them, if they are healthy, intelligent and financially able to properly care for them.

Very few couples want children the first few years of their married life; they want to become adjusted to each other's peculiarities of temperament, and found a home, and in time they will welcome their children; if not, they should not have any, it would be rank injustice to all involved if they do.

The highest grade of children come from parents over 32 years for the mother, and 35 for the father.

Home is the best place on earth!

If a couple defer marriage till late in life, they become used to drifting about alone, become selfish, conceited, and unyielding.

Far better to marry while young, while adaptations are easier, they can nest build, honey-moon till the good pals become wise enough and old enough for parentage.

This honey-moon home would be the salvation of many of our young people, physically, mentally, morally, and financially.

It has been said "the use of contraceptives was sordid and repugnant"—Quite true, but honorable aesthetic when compared with over breeding, ill health and poverty.

A quotation: "In the eyes of God birth prevention must be as heinous a crime as wilful murder."

Follow the thought! Every spermatozoid must be supplied with an ovum, which is impossible, but even so, the greatest criminals are those who lead continent lives, and pride themselves on their virtue.

Quotation from same writer: "Is not the life of an unborn child as sacred as that of an adult?"

A student of history will search long for any evidence of the sacredness of life, either remote or modern. Ancient history is page after page of war, theft, and rape; men, women, and children killed, virgins taken captive, and trophies carted away. Modern history is the same. Our daily papers show us that human life is the cheapest thing in the market—babies are given away, or deserted, but dogs, chickens, and pigs are sold, and a pedigree goes with them.

No, life isn't sacred, never has been, never will be till birth control has taught the world that ideal motherhood means welcome babies, **then** mother and babe are sacred, and home a sanctuary.

Forced motherhood and unwelcome children are pitiful and heartbreaking.

Forget middle age superstitions—go about your city with open

eyes and mind—go to the police court for three days—go to the baby homes—to the crowded tenement districts—to the factories, then answer the question—Is Birth Control a Crime?

If you can see straight and your brain is functioning properly, you will say 'Birth control is an imperative need in world progress and utilitarian civilization.'

Scrub stock has been replaced by thorobreds in the barn, now let us do some selective breeding for the human family.

Sterilize those not fitted to propagate, and teach birth control that leads to sacred motherhood, and welcome children, and America shall lead the world.

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For those interested in birth control I give the following expression of opinions on this subject by various persons of consequence in Portland as printed in the Oregonian August 1st, 1922.

#### CONTROL OF BIRTH REVIVED AS ISSUE

**Convention Proposal Brings Moot Topic to Life—Portlanders Air Views—  
Opinion Prevails That Storks, Along With Jitneys, Movies,  
Should Be Regulated**

Storks, along with jitney busses, moving picture shows and interstate commerce, should be regulated, holds intellectual Portland, but whether Mrs. Margaret Sanger and her co-workers in the birth control movement should be the regulators of the long billed and ungainly herald of arrivals from heaven is a moot question in this city today.

The plan of birth control forces to hold an international convention in Portland in 1925 and Mayor Baker's open declaration, yesterday, that such visitors would be unwelcome in this city has revived the birth control question, an issue that has remained more or less dormant since America entered the war.

Birth control advocates, led by Mrs. John Oatman, turn up a contemptuous nose at the city's executive and demand:

"What does he know about scientific or economic questions?"

Physicians dodge the issue, admit that a little birth control would be proper, but that only men of medicine should be allowed to limit the flights of the stork. Ministers of the gospel, while claiming that life and death are solely within the province of the creator, admit that stricter eugenics laws would probably create a superior race of Americans. And Mrs. Alexander Thompson, president of the city federation of women's clubs, would have a red, white and blue stork, who would deposit his precious burdens on the rooftops of well-to-do Americans and ignore the constant orders of the poor and foreign-born.

"What we need are more American babies, babies borne by mothers who are financially and physically able to mother them and who are now dodging their duty to their country and humanity by refusing to accept the obligations of parenthood," said Mrs. Thompson. "I don't think that birth control would do a bit of harm in the poor and foreign sections where children are born, raised in ignorance and poverty and allowed to grow up as enemies of society.

"I can't say that I'm strictly in favor of this birth control movement and the education of everyone, especially young girls, in it. But I do say that these

poor and foreign-born people, who multiply so fast that it is impossible to give their young proper food and clothing, let alone education and training, should be restricted. What we need in America is more American babies and less foreign ones."

Mrs. Thompson talked freely on marriage careers, parenthood and kindred subjects.

"I'm modern and progressive in everything except the home," she continued. "I'm a bit old-fashioned in that. I condemn the physically able woman who marries and then refuses to become a mother. If women would choose between marriage and a career, that's their affair, but I have no time for the woman who marries and then attempts to follow her career at the sacrifice of parenthood."

Mrs. J. F. Hill, president of the Parent Teacher association, refused to be drawn into the controversy.

"Really, it's like playing with fire to be quoted on it. I want to study up on the subject first."

A number of ministers were of a like opinion. All refused to discuss the case until such time as they had acquainted themselves with the details.

Dr. Frederick D. Stricker, state health officer, holds that the present birth control movement headed by Mrs. Sanger is not in accord with good government, that the widespread dissemination of such knowledge would result in a lowering of morals among unmarried women.

"I believe thoroughly in eugenic laws," he said. "But the physician is the one to pass judgment. I would bar the unfit from parenthood in the attempt to raise the standard of the race."

The views of the Rev. W. G. Eliot, Jr., pastor of the First Unitarian church, are liberal.

"It is impossible for me to give a categorical answer to the questions," the minister stated. "With the perfecting of methods for prevention and cure of disease and prolongation of human life, without birth control, it is conceivable that the whole world might become impossibly populous. That would mean the decay of civilization. It might abate some of our present-day problems if birth control could be practiced in parts of the orient and among the less effective of our own population in congested regions. I do not consider, therefore, that birth control is per se a sin or a crime and in frequent instances it may be justified to the individual conscience.

"But there are no words too strong with which to protest against the selfish, cowardly and willful avoidance of families by husband and wife where no reason does exist for so doing that can possibly justify itself to an honest and good conscience."

Rev. B. Earl Parker, pastor of the First Methodist Episcopal church, holds an opinion similar to the one expressed by Dr. Stricker. Eugenic marriage laws, he contends, would eliminate mental and moral misfits as possible parents, but the widespread dissemination of birth control literature would be dangerous from the moral standpoint.

Mrs. Oatman, as secretary of the Portland Birth-Control league, came to the defense of Mrs. Sanger and the movement.

"The rich women have the information; we simply want to make it general so that the poor will also benefit," she said. "We do not preach race suicide. We simply want to cut down the birth rate in families financially unfit to give their offspring a proper rearing."

"The United States is the only country in the world that prohibits the dissemination of such information. Our purpose is to secure the repeal of federal laws which brand our propaganda as indecent and immoral literature and to establish stations where scientific information could be distributed to the poor.

"The birth-control movement is a scientific one and has been in existence for more than 45 years. Yet Mayor Baker wants to bar us from meeting here in Portland. I'd like to ask Mayor Baker what study he has ever made of psychological, scientific or economic questions. Some of the greatest minds of the world have espoused our cause."

Mayor Baker, on reading a dispatch to *The Oregonian*, that told of the intention of birth-control advocates to gather here in 1925, scored the movement, declared that the delegates would not be welcome and that if the city had no existing laws against such a meeting proper ordinances would be passed before the convention.

"Portland people don't want to listen to such outrageous doctrines," he said, "and don't care to have their city made ridiculous by housing such a gathering."

A prior attempt of Mrs. Sanger to hold meetings here in 1916 resulted in her arrest and six of her followers for distributing vile literature. She didn't tarry long.

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### STUDY OF EUGENICS IS NEEDED

#### State and National Laws on Birth Control Will Then Follow

Salem, Or., Aug. 1.—(To the Editor.)—I have said many times through the press that I believe in birth control for all the forms of degeneracy for which we are burdened through sympathy, sorrow and taxation for their care. A short time ago I was conversing with a senator, one of our foremost men of Oregon, and I said: "How many children have you."

"Two."

"Too bad you have not more."

"Yes, it is, and I will tell you, doctor, I am with you on this question. We are letting the degenerates populate our country."

"And what does it mean?"

"It means absolute destruction unless we stop it," and we shook hands. "It will be stopped, senator, when men and women with brains realize the condition."

The first step is to make eugenics a national study; then we can have state and national laws that will wipe out this terrible menace and let the normal people populate our country. I am a woman and I know that every normal woman has a heart filled with love for children and desire for motherhood. You can trust women—they always have and will be loyal to their nation and this will solve the vexing question of birth control.

DR. OWENS-ADAIR.

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### The Bollinger Baby

In the year 1915 the whole country was set talking about the case of the "Bollinger Baby" when Dr. H. J. Haiselden of Chicago refused to perform an operation that might give the child a chance for life. The child was mentally and physically deficient—one of "nature's mistakes." The mother consented that the baby might be left to die rather than to live a life barren and useless. This case provoked much discussion among all classes, scientific, religious



and otherwise. The great problem of how to handle the defectives was a very live one for some time. It stimulated thought through so much discussion and no doubt good came of it. The clergy were against premitting the child to die almost unanimously. The belief of these ministers that the soul exists as a thing separate from the intellect, influenced them in their opinions. I had been thinking about this same question for years, due in great part to a terrible case that had come under my observation early in life. I knew the case well from the child's birth to its death—a period of 24 years—almost a quarter of a century. I had often wondered did this defective really live? Its parents were strong, vigorous people, born in England. They came to Oregon in the forties with their parents. To them were born seven children, all strong mentally and physically but one, the eldest, who was a defective. It did not show all the terrible defects at birth as did the Bollinger Baby. It had eyes and ears, could see and hear. Could not nurse, but could swallow, and there was no obstruction in the alimentary canal. It had a strange cry. Instead of developing into a normal child it grew worse and worse; its lips could not come together over its protruding gums; it had no use of its limbs which grew out of proportion to its body. Its head elongated and its teeth grew out long like those of some animals. Its legs had a tendency to twine around each other, with the skin tight to the bones. It contracted all the disease and ailments belonging to childhood and yet lived. It was a great sufferer and at such times its unearthly shrieks and moans were almost unendurable. This was especially distressing because they could not always determine where the trouble was. Think of that mother giving birth to another child every two or three years, until six more were born! Think of her caring for that monster, in addition to rearing her other children, and the care of the home. There were no asylums on this coast in those days and there was no escaping that terrible ordeal. One day she nursed her infant and laid it in the cradle. Taking a dish of mashed potatoes and a bowl of bread and milk, she took the defective in her lap; his head was rolling from side to side; he was making the most frightful grimaces; his mouth wide open; his hands working in an aimless manner. He would roll his head and throw the spoon out of his mouth. I said, "Do you always have this trouble?" "Oh, yes," she said. "No one can tell how terrible it is! I have been tempted many a time to take him in my arms and jump off the wharf into the river, and would have done so if it had not been for the other children." He must have been fourteen or fifteen years old at that time. He never grew to be over three feet in height. I never think of him without a shudder of horror and disgust. Can there be anything more dreadful than to have such a creature in the home? Especially where there are other children and the parents are poor? Yet that monster

lived for 24 years! When people cry to us that we should give these defectives their chance I cannot help but think that **this boy** never found his chance. That so-called "chance" never has, never will, never can come to any such monstrosities.

I could never bring myself to advocate the taking of a defective child's life after birth but it would seem a mercy to let it pass away without making a fight for its life.

The direct result of the Haiselden case was to interest people in the science of eugenics. As an illustration of this: Mrs. Helen Gould Shepard adopted a little waif. Before its adoption she spent over \$50,000 with detectives tracing the child's pedigree. After they had failed the scientist came to her aid, and they claimed that from their deductions that they had proved that the boy was born in Scotland of Scotch parents. That his own mother brought him to Canada, and that his mother and older sisters were still living! Truly, the wheels of science were moving on!

### THE STORY OF BABY BOLLINGER

A baby boy, whose little body is one of nature's blunders, has been born at the German-American Hospital.

The baby was born four days ago. In a few days, possibly a week, it will die.

The baby will die because the attending surgeon, Dr. H. J. Haiselden, so decrees. By operating, the physician says he could save its life, but since the parents have left the matter to him, he has had the courage to decide that it shall not add its weight to the already large burden of defectives in the world.

"And I'm answerable to my own conscience," says Dr. Haiselden.

The little boy's physical flaws, which consist of a number of rather unusual ailments, would undoubtedly make him an invalid during his first year, and probably a defective later, if he were allowed to live, says Dr. Haiselden.

"And so, I'm doing what the parents have given me option on doing," he adds, "and what it would take a pretty stiff argument to keep me from doing. I'm allowing nature to take her course with the child. We are feeding it some. The child is sensible only to discomfort. There is no brain development to register suffering. And pretty soon nature will make blank her mistake."

"You do not call this taking a human life?" I asked.

"Absolutely not," replied the man. "Many say arbitrarily that life is life and should be preserved, no matter what the cost, but I cannot see the argument in the vast debt which would accrue in institutions, were this argument followed. And, if having been given this case to decide, I should allow the child to live, I would consider myself guilty against the race."

"As it is, I consider this a favor to the race."

"Do you think what you are doing is frequently done?"

"Many times—but quietly. Many things go on in the medical business, which are done solely for good, but which might be condemned by so-called moralists and self-named social saviors. I have even taken the sterilization of subnormal girls and boys into my own hands—of course with the parents' permission—and I know I have been right in so doing."

"What makes you so fearless about confessing it?"

"I'm conscious of no fearlessness. I just feel I'm right. That's all. What more can any human being do, trying for conscientiousness in duty,"

"If you had been called in to attend this child, say at the age of seven or eight, at any age where he would know his suffering, would you do the same thing under the same circumstances?" was asked.

Dr. Haiselden thought a moment, then answered: "Let's put it this way: I'd let nature do her best to save the child. And I would, of course, give something to quiet the pain."—By Florence Patton in *Chicago American*, Dec. 15, 1915.

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### LET DEFECTIVES DIE, SAYS WOMAN

**Dr. Jean Turner Zimmerman Would First Give All Chance to Prove Right to Live**

Death by chloroform for defective babies after permitting them to live long enough to determine fully the extent of their disability, and the sterilization of their parents to prevent further propagation were the startling suggestions made to Chicago physicians last night. The suggestion was made by Dr. Jean Turner Zimmerman at a meeting of the Chicago Medical Women's Society.

While the members of the organization were gasping in surprise or considering approval of the plans, Coroner Hoffman was passing judgment on the death of Baby Grace Werder in the German American Hospital. He decided that the death of the child will not furnish a second Baby Bollinger case because the father refused to sanction an operation.

Dr. Zimmerman's plan is a modification of the one adopted by Dr. Harry J. Haiselden in the Baby Bollinger case. She would give every child "a chance," she said, "until a certain age." Then if the child were still defective she would chloroform it.

"I do not mean to criticize Dr. Haiselden," she said, "but I believe that every child should be given a chance for life. I think that a child should be allowed to grow to a certain age—an age sufficient to enable a jury of twelve physicians to determine whether its life would be worth while or not.

"Then if this jury should decide there was nothing in life for the child it should be chloroformed. The parents should then be brought in for examination to learn whether they are responsible for bringing a defective infant into the world. If it is found that they are, they should be sterilized."

Dr. Zimmerman is founder and head of the Chicago Woman's Shelter, Loomis and West Monroe streets, where, she said, more than 150 stranded women are cared for each evening.—*Chicago Examiner*, Dec. 9, 1915.

I do not advocate the taking of human life, but sterilization of the defective parent or parents, would prevent the existence of such children.

### "LET ME KILL MY BABY 'WITHIN THE LAW' " MAN'S PLEA

Des Moines, Ia., March 2, 1916.—The action of Dr. Harry J. Haiselden of Chicago in permitting the death of the deformed Bollinger baby several months ago, was recalled today in this city by Charles Cleveland, a laborer, who asked the chief of police for assistance in killing his 2-months-old daughter.

Cleveland spoke with discouraged earnestness.

"Chief," he said, "won't you tell me how I can kill my baby so it won't be against the law? Maybe you'll help me so it will be all right like that baby in Chicago?"

"What's that; say it again," gasped the chief.

"You see," went on Cleveland, "this baby hasn't any regular mouth at all and the doctors say that she might not ever be able to eat regular food and, chief, she has fits all the time, and my wife, she does nothing but cry all the time and she's sick. So I asked the doctors to kill the baby, but they wouldn't because they said the police wouldn't let them. So I came to ask if you'd help me to do it all regular."

At Cleveland's desolate home the physician found the baby in convulsions and the mother in hysterics. He instructed that both be taken to a hospital. He said it would be impossible to operate on the infant during the convulsions.

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### BABY'S MEDICINE STOLEN BY VISITOR

Chicago, Nov. 14, 1916.—(Special.)—Baby Paul Hodzima, the 2½-year-old microcephalous child, with an incurable stricture in the throat, did not get the medicine left at the house by Dr. Harry J. Haiselden last night, with the result that he was in much pain and did not sleep. Neither did his mother or father, both of whom are worn to the bone with his care.

Since the publication of the fact that the mother, under the doctor's directions, was administering a powerful drug that would enable the baby to pass out of the world quietly and painlessly, there has been a tremendous outcry in opposition to the practice of euthanasia.

Yesterday some unknown person visited the Hodzima home—there were many visitors—but one carried away the bottle containing the drugs, so the baby cried and tossed all night and fought for its breath, and its parents were desperate today.

When Dr. Haiselden heard of it he ordered that the baby be removed to the German-American Hospital, where he will ask that a jury of physicians examine the case thoroughly and decide whether or not there is the slightest chance for the child to grow up into anything but a hopeless and helpless idiot. Meanwhile there will be no outside interference in the treatment.

A horde of women swept down upon the Hodzima home yesterday and last night, and added to the distraction of the father and mother of the baby by their comments and advice. Some of them became violently hysterical, and one offered to come in and attend to Mrs. Hodzima's housework so she could devote all her attention to the sick baby. However, she made no preliminary move towards putting the disorderly house in order.

Dr. Haiselden today reiterated his statement that he had no fear of action by Coroner Hoffman.

"When the illegal operation evil is stopped, then I'll know that life is held sacred," he said. "When there is criminal neglect in teaching young women child culture, there should not be so many eyes on the idiot child and more should be said about saving normal babies.

"I remember a much-advertised soothing syrup, recommended not to contain opium, that mothers fed to their children. While thinking they were giving a beneficial, soothing medicine, they really were shortening the lives of their children.

"The world is overcrowded with dangerous defectives. It is an act of mercy to assist a hopeless and helpless mental and physical baby back into

the mysterious world from which it came through one of the mistakes of nature."

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### The Oregon Survey of Social Liabilities

The following is from the Capital Journal, Salem, Ore., July 11, 1922:

There were in 1920 a total of 65,423 persons who were social liabilities supported by the public in Oregon, or about eight and a half per cent of the total population, according to the state survey just completed by the state university under direction of the United States public health service at the request of the state legislature. Of these, 55,549 were cared for in communities including poor farms, and the remaining 9,874 were in public and private institutions.

About four per cent, 30,141 to be exact, were delinquents, and nearly as many, 29,555 dependents, including 3,994 insane, 1,733 mental defectives, 54 blind, 156 deaf, 126 crippled and 43 tubercular cases. A few hundred other cases exist where persons are dependent upon private or public funds for treatment or support, of which no record was secured.

Through the cooperation of the teachers referendum, the survey of 32,480 school children revealed that 9,742 were over age for their school grade and hence retarded in their progress. The causes were defined by teachers as follows: parental, 1,199; economic, such as poverty, etc. 906; environmental, 1,484; miscellaneous, 1,034; temperamental, 524; physical, 2,147 and mental, 2,627. Examination of groups of backward children revealed that 14.8 per cent were feeble minded; 38.3 dull or border line cases; and 46.9 per cent normal.

Psychometric tests given inmates of the state prison showed that 22 per cent were mentally defective, 51 per cent mentally dull, 40 per cent of average intelligence and 8 per cent above the average. An intensive study of juvenile delinquency on 33 inmates of the girl's industrial school showed that only two had normal intelligence capacity, eight were subnormal, 15 were on the borderline, and 8 mentally defective. The same examination at the boys training school on the 146 inmates resulted as follows: Supernormal 3, normal 27, sub-normal 37, border-line 43, mentally defective 36. Only two blind children out of 33 showed mental defects, 4 had superior intelligence, 14 normal, 5 subnormal and 8 on borderline. In the school for the deaf, only 13 out of 93 showed mental defectiveness in addition to the normal retardation due to deafness.

There is of course no means of knowing just how fast the percentage of social liabilities is increasing, or how fast we are breeding mental defectives, because statistics concerning them are of comparatively recent origin, but there is every reason to believe that both are gaining rapidly. Probably this country is not nearly as badly off in this regard as Europe, but it has always been upon a higher plane. As the economic conditions become more like those of the old world and the struggle for existence more severe, incapacity becomes more noticeable. The rapid growth of bureaucratic paternalism would indicate a corresponding mental decadence among the people.

## OUR DULL CHILDREN

(Evening Telegram, May 3, 1921)

The survey of mental defect, delinquency and dependency in Oregon, carried on by the State University under the direction of the United States Public Health service, shows among other interesting and instructive discoveries, the fact that in a referendum of teachers of the state, covering 32,480 pupils, 9,742 or 30 per cent, were too old for the school grade they were in.

The causes for this slowness are classed as "parental, economic, environmental, temperamental, physical and mental." This, translated into conversational English, means that some parents are hindering their children in school work, either by speaking a foreign tongue at home, by keeping their children out of school for work at home or by some other form of interference. It means that some homes are uncleanly and poorly equipped; that some children are running in bad company; that some are naturally stubborn, or listless; that some are physically unsound and that some are born hopelessly stupid. Thirty per cent are thus handicapped.

Thirty per cent is a heavy proportion of unsuccessful in a whole state's population. This means that when these children become grown citizens they themselves will be a handicap to their children, and they and their children will be a burden to the normal 70 per cent of the citizens of Oregon. Not only do these children lag in school. They act as a clog on the work done by their normal classmates. Ask any public school teacher if this is not true in a deplorable degree.

Every citizen of Oregon owes it to his children, to his neighborhood and to his state to study well the findings of this survey and the methods suggested as a remedy for these evils. There must be improvement in social legislation, and constant vigilance in the enforcement of advanced laws on these lines. Otherwise feeble-mindedness in mild or aggravated form will get the better of our educational, religious and social reform institutions.

A nation one-third dull is not a very bright nation, even if it is American.

## SIX PERSONS IN TEN MORONS, SAYS VIETS

**Mental Disease Expert Is Here to Survey County—Average Is Put Low—Intelligence of Most People Is Declared to Be Equal Only to 18-Year Standard**

(Oregonian, May 4, 1921)

Six persons in every ten, happily unconscious of the fact, are meandering through life with the mental equipment of childhood—and many of them are placed in positions of comparative prominence. They are morons, these members of the majority, with intellects beneath the normal standard for 18 years of age—but their deficiencies do not prevent them from useful service as citizens and home builders.

This somewhat disconcerting statement is declared by Dr. Henry Viets, representing the national committee for mental hygiene, of New York, to be thoughtfully conservative and in nowise to be construed as a symptom of general decadence. In the practical philosophy of Dr. Viets, now in Portland on an official mission, if one is a moron he has plenty of company and need not grieve—for suitable work and abundant happiness are his to command, and the community couldn't very well get along without him.

Dr. Viets was summoned to Portland by the board of commissioners of Multnomah county, at the instance of Dr. P. L. Campbell, president of the University of Oregon, and Dr. Richard B. Dillehunt, dean of the University of Oregon Medical school, to conduct a county survey of mental diseases and mental deficiency and to make recommendations for the modern treatment of mental cases. He is widely known in the psychiatric field, and is associate instructor of psychiatry at Harvard University.

For some time, Dr. Viets was attached to the British army, supervising the treatment of mental cases, and later served in similar capacity with the American expeditionary forces as a major.

"The purpose of the national committee for mental hygiene," said Dr. Viets, concerning his mission here, "is to assist everywhere in the care and treatment of mental disease. Your county is doing just what many other communities have done, in assembling data on mental diseases, and when the survey is concluded certain recommendations will be made.

"It is well known that the care of mental cases has been much neglected. Each city boasts its splendid hospitals, many of them literally marble palaces—but in almost every instance these hospitals have the forbidding sign displayed: 'No mental cases received.'

"We are fighting against this condition, and for a common-sense view of mental diseases. There is a growing tendency to consider the insane as sick persons, and to break down the artificial distinction between mental disease and general disease. The theory of prevention is a sound one, and will replace to a great degree the old ruling that all who suffer a mental lapse must be hurried to the asylum. Those who enter there, and who were curable—as a large percentage of mental cases is—too often leave hope behind. The impress of that experience frequently serves to make them incurable, and if it does not there remains always the unjust stigma of having been an inmate.

"Thousands of persons are treading the border line of mental illness, with a narrow margin of safety. During the war such individuals, subject to service, were carefully weeded out, with a consequent low percentage of so-called 'shell-shock' cases in the American service—a far lower percentage than that of any of our allies. Why, the rate of insanity among the 2,000,000 men in overseas service actually was less than the insanity rate among 100,000 men in military service in 1915."

In the prevention of mental illness Dr. Viets holds that the methods applied to the army in the field will serve as well in civilian life. He advocated the transfer of those who are temperamentally unfitted for tasks requiring unusual poise to jobs that involve less stress and strain, and asserted that a large percentage of insanity is preventable by the control of environment.

Dr. Viets was warm in his praise of Dr. Campbell and Dr. Dillehunt, who urged the survey, and predicted that it would result in permanent improvement of the treatment of mental diseases in Oregon and a consequent decline of the rate. It is proposed to establish a clinic of mental ailments at the state medical school, where physicians may study this phase of practice and clear away the haze that hovers over the field of psychiatry.

In other states where such surveys have been made psychopathic hospitals have been opened—with a sharp distinction between these and asylums—where insanity is treated as illness and the stigma is so far removed that a large number of the patients make voluntary application for admission. Dr. Viets' mission to Multnomah county is not only designed to further the intelligent treatment of mental cases, but to create a sensible public attitude toward mental illness.

As for morons, they do not worry the psychiatrist in the least—possibly because there are too many of them, and also for the reason that the sub-

normal individual is not in the least insane, and is ordinarily a worthy unit of community life.

"Yes," said Dr. Viets, "approximately 60 per cent are below the normal intelligence of 18 years—though that is setting a high standard mark you. Certainly there is nothing unusual about being a moron, and just as certainly there is nothing disgraceful. The moron is a very useful member of society. We couldn't get along without him.

"It's like this: I can clear a four-foot obstacle in a running jump. But that's my limit. Another inch and I tumble. But there are plenty of fellows who can clear five or six-foot barriers as easily as I can clear one of four feet. So it is with mentality. There are high jumpers, and there are those who were born without the ability."

Dr. Viets will remain in Portland for at least three months engaged in survey work, and will have offices in the courthouse. Incidentally, he is amazed at the genial character of an Oregon spring—when winter still holds sway in New York.

"I saw roses blooming out of doors this morning!" exclaimed Dr. Viets. "To an Easterner this climate is a delightful surprise, and I intend to make the most of my visit. For instance, I like to fish, and I fully intend to hook one of those—what do call 'em?—steelhead."

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### 65,423 IN OREGON ARE INCOMPETENT

**Survey of Social Liabilities Is Completed—Report Is Published—Data Gathered by University of Oregon Under Direction of Public Health Service**

There were in Oregon, at the completion of a survey of the entire state, started in 1920, a total of 65,423 individuals who were or recently had been social liabilities either in communities or in public institutions, demanding the support of the state. This is shown in the preliminary statistical report, just published, of the Oregon state survey of mental defect, delinquency and dependency, conducted by the University of Oregon under the direction of the United States public health service at the request of the state legislature.

Of the 65,423 dependents, 55,549 were cared for in communities, including poor farms, and the remaining 9874 were in all types of public and private institutions. Within the state there was a total of 30,141 delinquents, which classification has the largest portion of the total.

The second largest was in the case of dependent persons, which totaled 29,555, and included 54 blind, 156 deaf, 126 crippled and 43 tubercular cases. The report shows 3994 insane and 1733 mental defectives, including 60 neuro-mental cases. In addition there were a few hundred more individuals who were complete or partial dependents on public funds or private hospitals on account of some form of physical disease, defect or disorder, but concerning whom no detailed reports were available.

The Oregon state survey also made a review through the co-operative teachers' referendum of 9742 school children who were over age for their school grade and therefore retarded in their school progress. These 9742 over age for grade pupils, the report says, represent a school enrollment of approximately 32,480 pupils. The causes for this were assigned by the teachers as follows: Parental, 1199; economic, such as poverty, living conditions, etc., 906; environmental, 1484; miscellaneous, or no cause assigned, 1034; temperamental, 524; physical, 2147, and mental, 2627.

In connection with the study of the cost and causes of retardation of school children, 258 over the age for grade children in the elementary schools of an



unnamed city, the majority of whom had attracted attention by some special deviation of conduct, were examined separately for the purpose of collecting data. It was found that each child was on the average over age for grade 1.89 years. Estimating the cost of maintaining one pupil in school for one year at \$52.50, the additional cost of the community for these children was \$25,620. In another examination 80 unselected children from the group of 258 were given mental examinations, with the result that 14.8 per cent were found feeble-minded! 38.3 per cent were found to be dull or border-line cases, and 46.9 per cent were found to be normal mentally—whose retardation was not caused by mental defectiveness.

Psychometric tests were given to 123 inmates of the Oregon state penitentiary with the result that 50 individuals or 40 per cent were of average intelligence, 10 individuals or 8 per cent were above average, 63 individuals or 51 per cent showed distinct mental dulling, and 27 individuals or 23 per cent showed actual mental defect.

An intensive study of juvenile delinquency made on 33 inmates of the Oregon state industrial school for girls showed that only two had normal intelligence capacity, eight were subnormal, 15 were on the border line and eight were mentally defective. The same examination was made on 146 inmates of the Oregon state training school for boys, with results as follows: Supernormal 3, average normal 27, subnormal 37, border-line 43 and mentally defective 36.

In studying the inmates of the schools for the blind and deaf it was found that only two blind children out of 33 showed mental defect; four had superior intelligence, 14 normal intelligence, five were sub-normal and eight were on the border-line. In the school for the deaf only 13 out of 93 showed actual mental defectiveness in addition to the normal retardation due to deafness.

**Three Per Cent of the Million Draftees Whose Examination Blanks First Reached the Adjutant General's Office in Washington Had a Venereal Disease When They Reported at Camp  
The Record for Each State Follows:**

1. Oregon .....	0.59	%
2. Idaho .....	0.76	—
3. Utah .....	0.79	—
4. Washington .....	0.86	—
5. Montana .....	0.89	—
6. South Dakota.....	0.95	—
7. California .....	1.15	—
8. Wisconsin .....	1.21	—
9. Wyoming .....	1.22	—
10. New Hampshire.....	1.22	—
11. Nevada .....	1.40	—
12. Nebraska .....	1.53	—
13. Vermont .....	1.53	—
14. New Jersey.....	1.55	—
15. Minnesota .....	1.57	—
16. Connecticut .....	1.60	—
17. Iowa .....	1.63	—
18. Massachusetts .....	1.66	—
19. Arkansas .....	1.73	—
20. North Dakota.....	1.75	—
21. New York.....	1.82	—
22. Alaska .....	1.90	—
23. Michigan .....	1.95	—
24. Maine .....	2.02	—
25. Colorado .....	2.12	—
26. District of Col. ....	2.14	—
27. Kansas .....	2.38	—
28. Illinois .....	2.44	—
29. Pennsylvania .....	2.62	—
30. Rhode Island .....	2.66	—
31. New Mexico.....	2.68	—
32. Delaware .....	2.78	—
33. Ohio .....	3.24	—
34. Maryland .....	3.28	—
35. Indiana .....	3.33	—
36. Louisiana .....	3.32	—
37. Arizona .....	3.40	—
38. Missouri .....	3.52	—
39. Kentucky .....	3.77	—
40. Tennessee .....	3.80	—
41. North Carolina.....	3.90	—
42. West Virginia.....	4.00	—
43. Mississippi .....	4.05	—
44. Oklahoma .....	4.50	—
45. Texas .....	4.70	—
46. Georgia .....	5.60	—
47. South Carolina.....	8.04	—
48. Virginia .....	8.45	—
49. Alabama .....	8.68	—
50. Florida .....	8.90	—

## VENEREAL DISEASES AND THE WAR

According to the statement of the Surgeon General of the War Department, venereal disease constituted the greatest cause of disability in the army. For this condition, civilian communities have been responsible. Most cases of venereal disease in the army were brought in upon the induction of registered men. Virtually all cases were contracted within communities over which civil authorities have control. The Army has done more than its part in combating venereal disease. Civil communities must continue the fight with vigor. Reports from your state and city will be closely watched by government officers and by the nation at large.

### Explanation of Graph

Taking Maine as an example, out of every hundred draftees who arrived at the various camps to which they were sent, two (on an average) had a venereal disease. Out of every 10,000, there were 202 who had a venereal disease. It should be noted that these figures apply only to the million men whose reports first reached the Adjutant General's office from the various Camp Surgeons. Later reports may change these results.

The figures here used were furnished by the office of the Surgeon General of the Army.

## SECRETARY DANIELS, OF THE NAVY, ARRAIGNS DOUBLE STANDARD

Chicago, Oct. 22.—Dealing frankly and boldly with the social evil as a menace to the Nation's military efficiency, Secretary Daniels in an address here tonight before the Clinical Congress of Surgeons of North America, appealed to the profession "to end the false double standard that decreases military effectiveness." The profession, he declared, must share its part of the blame for the unpardonable prudery that endured a festering evil, rather than have it exposed and eradicated."

"There is not an army in the field whose effectiveness is not reduced by reason of immoral disease," said Secretary Daniels. "The Navy suffers likewise and business halts because venereal diseases destroy the manhood of workmen and fighters. During the last statistical year, men of the American Navy lost 141,378 days sickness from a small group of absolutely preventable diseases, or rather, diseases contracted by sin. This means that every day throughout the year there were 456 men disabled by this disgraceful malady. Add to that number those required to care for the disabled and we have enough men on the ineffective list each day to man a modern battleship. And this does not count those who through disease were not disabled, or the danger of contagion to the clean members of the crew.

"In the Navy in 1915, there were admitted for treatment for venereal diseases 112 persons for every 1000, and in the Army 84 for every 1000. The number in the Army having decreased from 145 to the 1000 after passage of an act, stopping the pay of all soldiers admitted for treatment for venereal disease. The new Navy law stops the pay of men so afflicted and will probably reduce the number of the Army ratio. But these figures show a condition of immorality on the part of the minority of both arms of the service that challenges the thought of the authorities.

"In civil life the number is quite as large, proportionately, as in the military service. It has been printed that Hecht, of Vienna, stated that at one time, the equivalent of three entire Austrian divisions of 60,000 men was under treatment for venereal disease, while the German army in Belgium, representing only a small part of the German forces, is reported during the first five months of its occupation to have furnished 35,000 such patients. Canadian and Austrian officers have deplored the ravages of this disease. The late figures from the British Army gave 75,000 cases, and all other countries have also been weakened.

"Sir William Coler places these infectious diseases at the top as a menace in war and in peace. The time has come to realize that this subtlest foe of humanity must be conquered, and it cannot be conquered by denying its existence, saying it is a necessary evil or applying palliatives. It is deadlier than small pox, or cancer or tuberculosis. A Canadian authority says: 'Its ravages today are more terrible for British and Canada, than Vimy Ridge, the Somme and Lens.'

"The remedy? There is but one—continence. It must be preached in the home, in the schools, in the marts of trade, in the pulpit and in military camps and among shipmates afloat.

"The eradication of the evil effects must be thorough, but the teacher who will be heard and heeded when the teachings of all others will fall on deaf ears is the word of authority from the medical profession. Young men expect ministers of the gospel to call them to clean living. The preacher seeks to save their souls, and many youths hardly realize they have a soul. But they know they have bodies and the doctor is the man to whom they trust the treatment of their bodies. When he preaches continence as the only rule of life to young men, and points out the dire penalty of lapses, his words have a weight no other admonition possesses.

"You gentlemen of the medical profession, deal with life and death. You bring the bodies into the world and you close the eyes of the dead. Yours is the ministering function, the intimate touch, and out of such relation you can enjoy an amazing power of suggestion. It is this power that America calls upon you to use. Tell your youths the truth. It is a duty laid upon you, not by the moral law alone, but by the law of self preservation that operates in nations as well as individuals. The duty is imperative upon you now as never before. If you perform it and our young soldiers and sailors heed your wise counsel, and many of them will follow your teaching with lasting gratitude. This will contribute more to the winning of the war than the manufacturers of all the world. It is no longer a matter of morals only, though it must be enforced as the cardinal doctrine of morals. It has come to be seen as having its base in the great law of nature. New truths must take the place of ancient lies. We know now by the testimony of science, that there is no foundation for the double standard for the sexes. To preach it is to preach immorality and a lowering of manhood. The lie that has lived so long must be driven out of the truth.

"Only God will ever know the toll in blood and tears that this lie has taken from the heart of the world, the prices that the health of the race has been made to pay for its submission to a historic falsehood, young lives ruined, futures cheated of promise, children called upon to suffer for the sins of their fathers, innocent women robbed of the right to happy motherhood and the virility of a nation sapped at its very foundations.

"Today as never before American manhood must be clean. We must have fitness. America stands in need of every ounce of strength. We must cut out the cancer if we would live."

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(Post-Intelligencer, Seattle, Feb. 10, 1918)

Tacoma, Wash., Feb. 9.—(Special.)—"Boobs" are being weeded out of the Army at Camp Lewis. The men without the mental equipment to care for himself and others will have no place in the ranks.

Captain Robert P. Smith, division psychiatrist, is the man who determines the fitness of the soldiers and up to the present time has examined 50,000 men in this cantonment alone.

In less than three months Captain Smith examined 1069 especially referred cases. Of this number 332 were recommended for rejection; 636 were accepted for duty in the National Army and 97 were sent to the hospital for further observation. Fifty per cent of the latter number have been dropped.

Psychiatrists have exploded the theory that the Army can make a man of a "black sheep" and a ne'er-do-well. The latter lack the ability of continuous application and of necessity and attempt to slip from under the weight of duty and responsibility. British physicians have found that the greater number of shell shock cases are among those who do not possess normally developed minds, says Captain Smith.

The above shows the rapid advance in science as well as rapid action. The war has been the source of wonderful discoveries, especially along the lines of biology and psychology. Our people are realizing as never before, that ability and stability are the essentials upon which the life of a nation must depend. Yes the "Boobs" must go. They cannot fight and they cannot be depended upon. The

world cannot depend upon them but for one thing, that of propagating their kind, and that will not be long tolerated. Why should we be burdened with the feeble minded hord that propagate from 6 to 8 times faster than the normal?

And if allowed it will be but a question of time that their contamination will reach the life of our nation.

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### Genealogical Research

Prepared by Jessie Beardsley Read (Mrs. John J.), Willamette Chapter D. A. R. for State Genealogical Research Committee

It has been said of the Daughters of the American Revolution that all they do is to sit around and talk about their ancestors.

Every Daughter knows that this is a mistake, so far as the present is concerned, if it was ever true. Doubtless it was necessary, in the beginning of the organization, for the founders of it to talk about their ancestors more or less, in order to get it started as a genealogical society, for such it is, in part. But for many years there have been many duties insistent upon discharge which have in large measure precluded dwelling unduly upon the subject of ancestry, or genealogy.

The question presents itself, what constitutes an undue need of attention to the subject? It is left for you to answer after hearing these opinions:

Daniel Webster said: "It is wise for us to recur to the history of our ancestors. Those who do not look upon themselves as a link connecting the past and the future, do not perform their duty to the world."

Lord Macaulay: "A people who take no pride in the noble achievements of remote ancestors will never achieve anything worthy to be remembered with pride by remote descendants."

John Fiske: "There is a fascination in the science of genealogy." (Note the term science.)

Eugene Zieber: "It may be fairly stated that, at the present day, heraldry and genealogy are ignored only by those who have no ancestors in whom they can take pride, or who have not given the question just and proper attention. No educated man will affect to despise a long line of illustrious descent, or the emblems which bespeak the bravery, wisdom or honor of his race."

Edmund Burke: "Families that do not honor the memory of their ancestors need look for no honor from their posterity."

So much for honors due. There is also something to be said regarding the practical application of what one may learn while tracing his forebears. While engaged in genealogical research one will inevitably absorb a great deal of history never before brought to his notice, or forgotten because it had no personal appeal—history of nations, families and individuals; and he will be led to observe what and how much influence heredity exerts upon entire families, and environment upon individuals.

There is no question but that certain great families of America have demonstrated that they are in some way superior to, or better bred than others, having gained and maintained a worthy pre-eminence throughout three centuries. A study of the family record, the genealogy of such families, will show you why this is so. Environment may, and doubtless does, play a part in the development of the individual, but it is a minor part. The rightly bred, the well born, will know how to make the most of a favorable environ-

ment, and also how to surmount the obstacles of an unfavorable one. There are many striking examples of this fact.

What constitutes good breeding? That question can in part be answered by reference to a family line that is the opposite of good—the line of the Ptolemies, the ancestors of Cleopatra, some of whom were children of brother and sister, and uncle and niece. Study the genealogy of this family and you will see that Cleopatra was the inevitable result of her breeding. Study the Hapsburgs and others of the Royal Families and a part of the Old World's troubles will be made plain; for proper mental balance and clarity of reason cannot be maintained throughout such lines, and the lapses have been brought with dire consequences.

Then, too, there are quite as convincing examples in America. One is the Kallikak family, which we will review later. Another is a group of people called "The Pineys," from having long dwelt in the pine woods of an Eastern state in an isolated community, and who by reason of their isolation have intermarried until they are as closely related as guinea-pigs, with more disastrous results, furnishing a horrible example of too close blood relationship. There is also the Jukes family, of the state of New York, which has cost that state incredible sums for their care in penitentiaries and asylums. The Island of Maarken, which is a part of Holland, is on record as containing an unusually large percentage of abnormalities among its inhabitants because of their custom of intermarriage, one of their unwritten laws being that no woman of the island may take a husband from elsewhere. The state of Oregon has its own problems in families, as may readily be ascertained, for the statistics are of record.

Perhaps the most complete record of heredity, the most startling genealogical research to which the laity have access, is contained in the book entitled "The Kallikak Family," by Henry Herbert Goddard, Ph. D., Director of the Research Laboratory of the Training School at Vineland, N. J., for Feeble-minded Children. Its keynote is feeble-mindedness, and it begins with the story of a little girl who at the age of eight years became an inmate of that institution. After showing just what environment did and what it could not do for her up to the age of nineteen years, the question is asked, "How do you account for this kind of an individual?" and is answered in a word—"Heredity"—bad stock, and the statement is made that the human family shows varying stock or strains that are as marked and that breed as true as anything in plant or animal life.

Charts are given showing the line of descent of this family from the first colonial ancestor, who died in 1735. It was Martin Kallikak, Sr. (All names are fictitious, and the meaning of "Kallikak" is "good and bad,") who divided it into a bad branch on one hand and a good one on the other. "Each of these branches is traced through the line of the eldest son down to a person of the present generation. On the bad side it ends with the girl in the training school, and on the good with a prominent and wealthy citizen of the same family name."

"The Kallikak family presents a natural experiment in heredity. A young man of good family becomes through two different women the ancestor of two lines of descendants—the one characterized by thoroughly good, respectable, normal citizenship, with almost no exceptions; the other being equally characterized by mental defect in every generation. This defect was transmitted through the father in the first generation. In later generations more defect was brought in from other families through marriage. In the last generation it was transmitted through the mother, so that we have all combinations of transmission, which again proves the hereditary character of the defect."

"We find on the good side of the family prominent people in all walks of

life. On the bad side we find paupers, criminals, prostitutes, drunkards, and all forms of social pest with which modern society is burdened.

"When Martin, Sr., of the good family, was a boy of fifteen, his father died, leaving him without parental care or oversight. Just before attaining his majority the young man joined one of the numerous military companies that were formed to protect the country at the beginning of the Revolution. At one of the taverns frequented by the militia he met a feeble-minded girl, by whom he became the father of a feeble-minded son. This child was given by its mother, the name of the father in full, and thus has been handed down to posterity the father's name and the mother's mental capacity. This illegitimate child was Martin Kallikak, Jr., and from him have come four hundred and eighty descendants. One hundred and forty-three of these, we have conclusive proof, were or are, feeble-minded, while only forty-six have been found normal. The rest are unknown or doubtful. Among these four hundred and eighty descendants thirty-six have been illegitimate. There have been thirty-three sexually immoral persons, mostly prostitutes. There have been twenty-four confirmed alcoholics. There have been three epileptics, eighty-two have died in infancy, three were criminal, and eight kept houses of ill-fame.

"These people have married into other families, generally of about the same type, so that we now have on record and charted one thousand one hundred and forty-six individuals. The record goes on with sickening sameness, and as the author remarks, 'Society has had to pay the heavy price of all the evil engendered.' (Just here it may be well to note that a survey has established the fact that twenty-seven to thirty per cent of the inmates of state prisons throughout the country have been found to be feeble-minded, as are thirty per cent of the inmates of training schools, reformatories, workhouses, houses of refuge and the like, while fifty per cent of the three hundred habitually immoral women examined in the state of Massachusetts were of such pronounced mental defect as to warrant their commitment to an institution for the feeble-minded.)

"Martin Kallikak, Sr., on leaving the Revolutionary army, straightened up and married a respectable girl of good family, and through that union has come another line of descendants of radically different character. These now number four hundred and ninety-six in direct descent. All of them are normal people. Three men only have been found among them who were somewhat degenerate, but they were not defective. All of the legitimate children of Martin Sr. married into the best families of their state, the descendants of colonial governors, signers of the Declaration of Independence, soldiers, and even the founders of a great university. Indeed, in this family and its collateral branches, we find nothing but good, representative citizenship—men and women prominent in every phase of social life. They have scattered over the United States and are prominent in their communities wherever they have gone. Half a dozen towns have been named from the families into which Martin's descendants have married. There have been no feeble-minded among them; no illegitimate children; no immoral women; only one man sexually loose. There has been no epilepsy, no criminals, no keepers of houses of prostitution. There has been one insane, a case of religious mania, perhaps inherited, but not from the Kallikak side. The appetite for strong drink has been present here and there in this family from the beginning. It was in Martin Sr., and was cultivated at a time when such practices were common everywhere. But while the other family has had twenty-four victims of habitual drunkenness, this side only scores two."

"We thus have two series, from two different mothers but the same father. These extend for six generations. Both lines live out their lives in practically the same environment, except in so far as they themselves, be-

cause of their different characters, changed that environment. Clearly it is not environment that has made the good family. They made their environment; and their own good blood, with the good blood of the families into which they married, told."

While as above stated, feeble-mindedness is the keynote of the bad heredity here cited, yet it is asserted that "there are many qualities that are alike in both the good and bad families, thus showing the strength and persistence of the original stock."

We have all seen in families one called the "odd one"—one differing strikingly from the others, and have heard a parent say of that one, "I do not see how he came by such a trait." No, probably not; but if that parent had an adequate family record he would find that the trait was "honestly come by," for somewhere back along the line would be found an ancestor who possessed the same characteristic, whether mental or physical, whereby the odd one would be known for just what he is—an example of atavism, a reversion to type.

An adequate family history may become a chart to steer by in raising a family; but just a few names and dates will not suffice. It is now generally recognized that to be of greatest worth a family record should include not only names and dates, but should also be a record of the physical and mental characteristics, the environment, education and attainments of each individual in direct line. It is then of real value, for thus can one the more readily detect in a child a budding tendency, whether for good or evil, and will know better how to bend the twig that the tree may be rightly inclined.

Dr. William Byron Forbush, in an article on child training, says: "One of our unused assets in child training is family pride. The enthusiasm with which even a young child will greet the realization that he belongs to the great fellowship of his forebears is quite incredible. . . The use of family names in naming a child is a good way to begin his pride in being worthy of his lineage. . . I believe in talking much to children about the worth of heredity. . . I would tell them about our great families. . . and what they have done for the country. . . Such pride works."

"There are few more powerful incentives to make the best of one's abilities, or few greater deterrents from vice, than family pride," writes Dr. Michael F. Guyer, in his work on "Being Well Born."

The secretary of one of the large family associations for genealogical research, common in the Eastern states, says: "You deride genealogy, perhaps? But take note that no man ever became famous without the world's making all possible effort to learn who his ancestors were. The world is not content to eat of the fruit of the tree alone. It wishes to know how that tree grew such fruit, and why, and who planted and cared for it. For the world would like to see others grown like it."

No Daughter of the American Revolution need ever feel apologetic for having compiled an exhaustive family record, even to following out its various ramifications. She should, indeed, consider it a duty to do so, and will never regret the time spent upon it, for both she and her family will be the richer in knowledge and wisdom, the better fitted to understand life—the great, teeming life of the whole world of nations and peoples. We need to know more, rather than less, of both genealogy and eugenics, for one is the complement of the other. We are careful that the pedigree of our domestic animals shall be of the best, and of record, but we scarcely make inquiry regarding the antecedents of those who marry into our families, and we keep few records. And then when a child is born with something radically wrong, we pass from a pained and wondering surprise to resignation, and say, "It is God's will."

While we are not, generally speaking, "descending" in the sense in which



a certain way would have it, yet it is not impossible that we may. Such families as the one reviewed are a menace, both direct and indirect, for which a remedy must be found. The time has come when we can no longer shut our eyes to facts and figures, however unpleasant to contemplate, and the Daughters owe it to themselves and their country to study the question, that they may understand the methods which will be proposed for betterment of conditions, ever mindful that they have the ballot.

The practical application of genealogical research to our organization is this: It is not enough that one should have established proof of one ancestor's service and "got in," as some express it, if she had others who served. If there were others, establish proof of their service as well, for every supplemental proof is a pathway leading new members into our society—surely a worthy effort. Moreover, why should one ancestor be honored while another remains unsung? All honor to them all, and the Golden Rule of genealogical research might well be a duplex one—"Do unto ancestry as you would have posterity do unto you, and for posterity as you would that ancestry had done for you."

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## Why Sterilization and Birth Control Are Necessary

By Dr. Ella K. Dearborn

For centuries most of the human family have bred as thoughtlessly, and with as little responsibility as the beasts of the fields.

For centuries intoxicants and tobacco have vitiated the germ plasm of our people.

The offspring of alcoholic parents are lacking in nerve force, and are irresponsible mentally and morally, they are shifting, vacillating, and unreliable, and in time of stress, they lose themselves utterly, and may become insane.

Venereal diseases are so widely disseminated that no family can justly claim freedom from their taint, they are, in a measure, immune, as proven by the less destructive early stages of acquired cases, as compared with those of a hundred years ago, but the poison is just as surely passed on to posterity, and less offending names given to its manifestations.

We of the 20th century are reaping the terrible harvest from the seed sown by ignorant and reckless ancestors.

We are appalled when told that 60 per cent of our people have but the mentality of thirteen year old children, and only 4½ per cent are of superior intellect.

Crime is rampant, and the world fast drifting to anarchy.

Can 40 per cent of the people control 60 per cent?

Shall the 60 per cent go on breeding subnormals?

Shall the diseased pass their contamination on to future generations?

Would either class voluntarily propagate if they understood the curse that must go with a new life?

Shall we as a nation rush to anarchy and extinction because of the ignorance and unbridled lust of our 60 per cent subnormals?

The economic loss in earning capacity, and the cost of care given them by the state, runs up into millions yearly and this does not include the original cost of buildings.

It means that every year the United States pays five hundred million dollars for her insane, dependents and criminals.

This estimate is for 1890—will one billion cover the cost for 1921?

More is spent for these three classes, than for colleges.

Money, preaching, penitentiaries, and punishment will not stop crime or insanity; the remedy lies farther back.

Stop producing them!

Sterilize the mentally irresponsible; teach birth control to those intelligent enough to practice it.

Teach eugenics and heredity in the grammar schools. Prepare our young people for ideal homes, and intelligent parenthood.

Three steps up:

Sterilization of the unfit.

Intelligent birth control.

Eugenics—the science of breeding up.

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### “The Incurrigible”

(By Frank L. Christian, M. D., Superintendent of Reformatories of State of New York)

In every institution for the care and custody of the offender against the laws of the state are a certain number who by reason of their inability to adjust themselves to the routine, and their frequent conflicts with the discipline, earn for themselves the term “Incurrigible.” Not only are they prone to open and direct infractions of discipline, but this comparatively small group, by their actions and influence stir up trouble among other inmates who ordinarily would be well behaved. How to manage this class has always been and still is a difficult problem. Some years ago the management decided to try the experiment of entirely separating them from the general population and placing them in a wing of the institution where complete segregation is possible. So a group of twelve or fifteen of these boys was taken from the population and given sleeping rooms, dining room, and a general work, instruction and recreation room apart from the rest. Each day they received a certain amount of school of letters of instruction and did some little manual work but the major portion of the day they were allowed to pass in playing games in the general room, or in outdoor sports and exercises in the recreation grounds. It may be mentioned that a part of their manual work consisted in keeping these grounds and that part of the institutional building assigned to their use, in good condition.

They were permanently supervised by an officer of experience who was known to have good “horse sense” and who could be depended upon to study carefully the mental peculiarities of his charges and to use justice and judgment in controlling and directing their various activities.

The experiment proved successful and the class has been continued since its inception. It is a distinct advantage to its pupils because it releases them from the exactions of a somewhat elaborate and strenuous routine of school, trade and military work; and it is of signal benefit to the institution in that it removes the most markedly troublesome and defective of the boys from the daily activities of the remainder of the population.

In making our assignments to the class it is our custom to select boys who have failed in demeanor for several months in succession. Frequently however assignment is made directly upon the recommendation of the psychiatrist and practically all the inmates so assigned have shown previous fair demeanor records, giving no serious trouble to those in charge. Of course we have at all times to aid us, the report of the Department of Research, concerning each boy. We have made a study of these cases in the psychological

laboratory and have come to the conclusion that each one of them is a mental deviate of one kind or another. Moreover, many of them suffer from physical defects and their reactions to discipline are aggravated in some instances by reflex irritation from these physical defects.

Particularly illuminating have been the results of the mental examinations, demonstrating that not even one of the 150 boys assigned to this special training class since its beginning, could be considered normal; and this would seem to strengthen the argument that the incorrigible is never a normal individual but that in every instance he suffers from a physical or mental defect and that these defects might reasonably explain his difficulty or inability to adjust himself to the reformatory curriculum.

The officer in charge, while possessing no special knowledge of either psychology or psychiatry has proved to be quite a careful observer of the various types, and upon the request of the writer, has given some descriptions of the pupils as they have appeared to him during contact with them for a period of two years. We quote from these descriptions as follows:

"After more than two years of close contact with and daily observation of the individual members of this class, I believe I have a fairly just understanding of them, and I intend that whatever I may say in reference to them shall be said without grudge or prejudice and with the hope that it may result in benefit to all concerned.

These boys truly appear to be in a grade by themselves. Nature for some reason appears to have denied them most of the attributes of normality. Their temperament is nervous to a degree; they are physically, mentally and morally unbalanced, and being so are perhaps in a sense more to be pitied than condemned. Furthermore they appear ignorant of their condition, which makes the outlook additionally sad to contemplate. Of course each of these boys is in the nature of things an object of love to somebody, to whom his fate is a matter of serious concern, and it is to be regretted that the boys apparently have no power of introspection and are unable to see themselves and their foolishness, as other people see them, and so the best of instruction seems to fall upon barren ground.

Among them appear almost as many types as individuals and I find it necessary to deal with each boy as if his case were an individual one, separate and distinct from all the others. Temperamentally, they are changeable as the weathervane—each one twisted or turned by the slightest variation in his own physical, mental or nervous make-up. They cannot rely upon themselves (although they think they can) nor can any person rely upon them. They are often blustering and domineering in manner when they feel that it is perfectly safe for them to be so, but they are cringing cowards at heart, and fear physical pain or personal deprivation, while lacking in the quality of reason that would enable them to avoid that which causes these visitations; they are watchful, sly, and possess the animal cunning which enables them to avoid the penalty consequent upon the infraction of institutional rules. They were this way before they were sent to the reformatory, and will thus remain after their release. They are deceitful and the truth is not in them; they deem it a worthy victory to be able to circumvent or deceive a fellow being, especially an officer of the law, and if such a boy occasionally speaks the truth, it is very apt to be from some ulterior or selfish motive. They seem devoid of the sense of honesty and fair-play. In too many instances they are mentally and physically almost wholly animal and are nearly as destitute of moral responsibility as is the beast of the field. It is not pleasant to have to make such harsh statements regarding these boys, but I believe I have set forth the facts without personal bias and without exaggeration.

There can be no question of the advantage to the general population of

the reformatory, in separating this boy from its daily routine. Each officer clearly recognizes that he is a trouble-maker and a disturber in whatever department he may be placed by the management. He is always found to be detrimental to the good order and discipline of the inmate body as a whole, and his removal from any department is hailed with satisfaction by the officer in charge. He is considered, with truth, an institutional nuisance. But there is one place where he seems to fit in better, and that is the special training class, which is properly equipped to receive him and where he is segregated from the rest of the population."

It may be said of the foregoing observations of the officer in charge of the class, that they confirm to a considerable degree the findings of the research laboratory; and the writer will add that there has been of late among the official staff a growing sense of the mental deficiency of our inmates and an evident desire to cooperate with the management in finding the best way to handle these difficult cases. It is not often that the especially defective group numbers more than two per cent. of the entire reformatory population and the writer deems it fair to assume that this about represents the so-called incorrigibles in our institution at any given time.

A distinction exists between this incorrigible group and the segregable group. For illustration: An inmate so mentally defective as to permit permanent custodial care still may not be in the strict meaning of the word, incorrigible—he may be in fact quite tractable, occasioning the institution very little trouble in point of discipline and yet be unfit to be permanently at large. The incorrigibles form a part of the segregable group but by no means constitute all its members. Our studies indicate that about ten per cent. of the population of the reformatories may be considered segregable—in need of permanent custodial care—while but two per cent. of the population could properly be classed as incorrigible.

From a purely medical viewpoint it is interesting to note the various types of mental deviate that go to make up this class of incorrigibles. In it are to be found the imbecile, the insane, the psychopath, the defective delinquent, the epileptic and the moron. There are those who have made little or no institutional progress, failing to profit appreciably from instruction given in trades classes or school of letters and again there are others who have passed the higher grades of the grammar school and possess a fair degree of formal education and yet on account of various mental defects are unable to control their impulses, occasioning conflicts with the discipline and ultimate assignment to the class for special training.

This type of inmate invariably requires more time, usually several more months—in which to earn his parole, than does the average inmate, and the problem for the future is whether or not he should ever have his unrestrained liberty. For some time past there has been a movement in progress in this state to enact laws authorizing the commitment of the segregable to an institution for an indefinite period, and at the last session of the legislature such a bill was introduced but failed of passage. A committee now has under consideration a second bill of like character and scope, for introduction in the coming legislature. The commitments would be made by the court, much the same as in the detention of the insane.

The problem in reference to these unfortunate individuals is whether or not they shall be permitted to go out into the community and continue to be the menace to society which their life histories but too clearly indicate they have been. Practically all of them have had many serious conflicts with the law, beginning with infractions necessitating their commitment to the truant school; later their misdemeanors have placed them in the various correctional and eleemosynary institutions and finally the commission of felony has caused their sentence to the reformatory. Perhaps the real question is: Is such a

boy useless or useful? Does his liberty add to or at least not seriously interfere with the happiness and well-being of the community? Or is he a menace and a danger, and unfit for freedom? As to just what person, or group, shall be delegated the authority of passing upon this question has given rise to much discussion. It is undoubtedly a most serious matter to commit an individual to an institution permanently, but it would seem that the rights of society and the state at large are greater than the rights of any single individual.

The following classification of these inmates was prepared in the Research Laboratory of the institution:

**Classification of 150 Inmates, Comprising the Total Number Assigned to the Special Training Class Since it was Established in 1913**

Classification	Sub-normal	Segregable	Total	Percentage
Moron.....	31	23	54	.36
Epileptic Moron.....	4	15	19	.13
Epileptic.....	1	1	2	.02
Defective Delinquent.....	13	32	45	.30
Psychopathic Delinquent.....	2	2	4	.03
Imbecile.....	0	7	7	.05
Insane.....	2	17	19	.13
Total.....	53	97	150	
Percentages.....	35%	65%	100%	

**Secondary Classification Included in the Foregoing**

Sex Pervert.....	2	5	7	.05
Sex Offender.....	0	7	7	.05
Drug Addict.....	1	4	5	.03
Vagrant.....	2	9	11	.07
Gambler.....	1	1	2	.01
Alcoholic.....	0	2	2	.01

The average time in custody, of the above named 150 inmates was one year and eleven months.

Forty-three were finally released after satisfactory parole period, and have had no further criminal record known to us.

Ten violated the conditions of their parole and all trace of them was lost.

Twenty-one violated the conditions of their parole and were returned to the institution.

One was returned to the institution on a new charge.

Four were discharged from the reformatory upon the expiration of their maximum sentences.

Seventeen were subsequently sentenced to the penitentiary.

One was subsequently twice sentenced to the penitentiary.

Seventeen were subsequently sentenced to a state prison.

Two were subsequently twice sentenced to a state prison.

One was subsequently sentenced to the workhouse.

Sixteen were subsequently committed to a state hospital for the insane.

Twenty were subsequently transferred to the Eastern New York Reformatory at Nappanoch, N. Y.

Seven have since died.

Nine are at present on parole; 23 are at present in the custody of the institution.

In the foregoing it will be noted that the "Normal" classification is absent, each member being definitely diagnosed as a mental defective of some sort. Seventy-three of the number considered are classified as Morons. These are the persons who most nearly approach the normal, yet are degenerate; such have the mental age of a child of ten or twelve years. A close examination reveals an absence or at least an inadequacy of the higher mental faculties which develop with maturity. They lack intelligence, judgment, moral sense, consciousness of responsibility, sense of obligation, self-determination and self-restraint—they drift along the path of least resistance; feeble in will; following without question the impulsion of feeling; they have no ethical sense, no scruples, and place no curb upon their desires. For the untrained observer, especially, these are the most difficult of the feeble-minded to accurately diagnose. The epileptic moron is hard to manage by reason of the added handicap of his peculiar disease with its many and diverse manifestations. The symptoms of epilepsy occur not infrequently among mental defectives and it is not surprising that they were found to exist in the cases of twelve per cent. of our intractables. The signs of insanity were found in as many instances as were the symptoms of epilepsy, and sixteen out of the nineteen cases evidencing this disease were actually transferred to the insane asylum. In many instances signs of incipient insanity are discovered upon the first examination in the laboratory and these cases are subsequently carefully observed for any further indications of mental disease. Many such cases seem to inhabit a sort of mental "no-man's-land"—there are periods during which commitment for insanity would seem justifiable; then the storm will pass and a nearly normal attitude, for them, will be manifested. Many of those low mental types develop a psychosis that will clear up after a few months, treatment in a hospital. While the psychopath occasionally appears, one familiar with the peculiarities of that little understood individual would scarcely expect to find many of them in this class.

The defective delinquent is so characterized by reason of his recidivist tendencies. He is always a mental deviate of one kind or another, as the writer has previously stated, and most of those designated in the classification could properly be included in this group. The salient fact is that of the 150 inmates whom we have found it necessary or advisable to place in this class, every one is a mental case. While they are called incorrigible, the mental inferiority is the true basis of their incorrigibility. More than half of those boys whom we have released upon parole have violated the conditions of their parole. Unable as they are to compete successfully in the industrial world, unless parents or friends are active in their behalf, disaster easily overtakes them. They cannot make their way alone, and soon become the easy tools of crooks or schemers who may want them to "hold the bag," or act as accomplice in other questionable undertakings.

Many of those who have been returned for violation had, before their return, received assistance from their supervising officers and some of them had been re-instated on parole two or three times by the superintendent, in the hope that they might finally make good.

As for those now enjoying their liberty we will without doubt receive notice from time to time, where records are obtainable, that more than one of them has been again committed to some penal institution. We believe that 43 of them are still at liberty but these figures are probably inaccurate as they are dependent upon the identification by finger-print and Bertillon systems, which are by no means in general use.

The failures are significant, and represent what we may fairly expect from the immediate release of this class from the penal institutions. The figures and notations shown in the table are the present results and indicate but a small part of the danger involved in liberating such undesirable delinquents.

It is refreshing to note that the record of the average paroled inmate from the reformatory shows a decided contrast to these figures, and that, of the 567 paroled in the past year, nearly 500 have complied with the conditions of their release and are in good standing with the institution.

We have long urged that many of our defectives need permanent custodial care. Our studies along these lines have included examinations of thousands of inmates, while the special training class which we have been describing has been established for more than seven years. We believe that our conclusions have been arrived at without haste and with due consideration. As to the number who need segregation, other investigators have conducted similar studies and their findings are not at variance with ours. We agree as to the necessity for some form of permanent custody.

The amount and quality of administrative detail consequent upon the successful handling of these segregable classes will demand the best work of some of our ablest executives. It is going to be the most difficult and complex administrative problem that penologists have met in years.

The suggestion has been made that all those defectives who need custodial care be transferred to one of the already existing institutions for the feeble minded, but this plan immediately encounters the disapproval of the management of these institutions whose populations, composed largely of the stolid and the tractable, differ markedly from the unstable, explosive, and oft times dangerous individual to whose mental defects has been added criminality.

As noted previously, about ten per cent of the present population should be retained in custody indefinitely. Included with this number there are certain of these incorrigible defectives, the successful management of whom will present problems of magnitude and complexity such as have rarely been experienced in any institution. They are a mass of humanity whose mental wheels are out of gear, whose impulses are unbridled and to whom any semblance of orderly conduct or discipline is distasteful. Often friends or relatives of men composing this group will make persistent efforts to secure their release and it is likely that frequent writs will be obtained from the courts in the attempt to demonstrate that they are normal individuals. Such procedure of course entails additional administrative difficulties and will necessitate the employment of expert psychiatrists on the staff of the institution.

Under the present law, even these incorrigible defectives must be finally released upon parole and as has been shown by our records, a few of them, aided by being released to the custody of relatives or under other favorable conditions, may succeed in living within the law; but from the viewpoint of the future welfare of society and the state, their release cannot be recommended. It is true that their permanent custody will be a decided innovation, but there is really no more reason for permitting them to be at large than there would be for setting at liberty the non-criminal feeble minded, or the insane. The class we are discussing is equally as dangerous, and the state can well be spared their periodic and persistent criminal acts. Posterity will be the gainer by the absence from its communal life, of these unfortunate individuals and their progeny.

All incorrigibles, to my mind, should be unsexed for their own benefit. So far no other remedy has been successful. It would relieve them of their lustful desires and render them docile and more easily managed. Many such might then become good citizens. I am thankful for the privilege of reprinting the above excellent report.

### Patriotism in Peace

By Mrs. Isaac Lee Patterson

"Anybody can be a Patriot in War time. Everybody is. The psychic force of a crowd is tremendous. Patriotism, therefore, is the best and most usable form of Multitude-power that we can evoke today." Is a recent statement of Dr. Frank Crane.

This being the case are we realizing this force to the uttermost? Are we using it for the every day vital things that are going to continue to strengthen us as a nation or are we going to degenerate? No foreign power can conquer us. But an invisible war is being waged upon us with a force greater than could be brought against us by any hostile nation in the world. The insidious encroachment of the diseased physically and mentally and causing us to degenerate from within. Not to take steps to correct this inner canker is the sure road to disintegration.

In the line of Patriotism in peace we are confronted by two problems right here in our own state that must be met and faced. I am referring to two bills that came up in our last legislature. One relating to Asiatic alien Land Laws, which, however, was defeated in the senate and the one known as Senate Bill 174 and fostered by Dr. Owens Adair and introduced by Dr. J. C. Smith, brother of Dr. J. N. Smith, superintendent of the State Feeble Minded School. This bill was referred to the people and will be voted on in June.

To take up this latter bill first. This bill could have possibly become a law through the action of the legislature but Dr. Adair felt that there should be a campaign of education behind it as it strikes at the very foundation of our social and economic life.

The University of Oregon also felt the necessity of state wide knowledge on Mental Defect, Delinquency and Dependency and its causes. Through its efforts and the co-operation of the legislature of the State of Oregon for 1920 Dr. Chester L. Carlisle of the United States Public Health Service was sent here to make a survey of conditions. In a typewritten report of 141 pages he has given us a large amount of information relative to this subject. However, he styles it only a "Preliminary Statistical Report." Surgeon General Hugh Cummings in a foreword to this report says: "Upon attainment of high standards of public health rests in a great degree the happiness, efficiency and success of the citizens of every state. And through them the permanency and glory of the Nation."

Dr. Carlisle finds that there is a total of 29,847 individuals in the state who as actual delinquents and dependents have shown themselves, by their sub-normal, inefficient, non-constructive conduct to be actual social liabilities, a constant drain on the public



purse, a constant menace to the orderly and successful progress of the state. These 29,847 represent 3.8 per cent of the total population. Therefore, the great bulk of all public expenditures for the relief, care, treatment and training of the misfits of the states is caused approximately by 4 per cent of its inhabitants. In the Feeble Minded School alone there are 420 inmates with a waiting list. And between 2500 and 3000 children who while sub-normal have not been listed for attendance in the school. For the maintenance alone for one year it costs the state:

Feeble Minded School.....	\$150,000
State Insane Asylum.....	\$465,000
Eastern Oregon Insane Asylum.....	\$135,000
Industrial School for Girls.....	\$ 25,000
Boys' Training School.....	\$ 60,000
Penitentiary .....	\$150,000
<b>Total .....</b>	<b>\$985,000</b>

In addition to the above each legislature is called upon to appropriate large sums for building repairs, equipment and purchase of additional lands. The last legislature for these purposes almost one million dollars. The state has already invested in lands and buildings for the care of these afflicted several million dollars.

Dr. J. H. Kellogg of the Battle Creek Sanitorium indicates the seriousness of the problem when he says: "We are actually building up an aristocracy of lunatics, idiots, paupers and criminals. These unfit have actually reached the proportions of a vast multitude. 500,000 lunatics, 80,000 criminals, 100,000 paupers, 90,000 idiots, 90,000 epileptics. And we are supporting these defectives in idleness like real aristocrats at the expense of \$100,000,000 a year. This mighty host of mental and moral cripples is increasing due to unrestricted marriage and other degenerate influences at a more rapid rate than the sounder part of the population, so they are bound, in time, to constitute the majority unless some check is put upon their increase." Here in a few short sentences Dr. Kellogg has hit upon the crux of the situation. Our economic and moral and I might add patriotic relation to this menace.

How to approach the subject from its patriotic and moral side. Every child has the right to be well born, that is to come into the world without the handicap of physical or mental taint. This bill of Dr. Adair's aims to make it by law our duty to safe guard the child life, our potential national wealth of brain and body power. Can there be a greater patriotic duty than to see that physical protection should be thrown around these innocents?

This law will guarantee that our daughters marry young men morally, physically and mentally clean. And likewise that our sons marry young women properly equipped for motherhood. No nation is greater than its mothers. Ultimately if such a law is enforced there will be built up a higher standard of citizenship and reduce to a maximum sub-normal and unfit physical children.

Will you not become apostles for this bill and so inform yourselves of its contents that when it appears on the ballot for June you will be ready not only to give it your support but to see that others will also realize the great and immediate necessity of its adoption?

### Judge Warren Foster's Paper

No man in America knows criminals better than Judge Foster or has given more thought to a proper method for the reduction of criminality. The judge, because of his great interest in criminal jurisdiction, has even declined a place on the New York Supreme Court bench. It is probable that no other man has refused such a place.

The judge gives here the results of his years of study and suggests a practical and certain cure for hereditary criminality. This story offers the means for a great reduction in the number of American criminals. It is the most important contribution that has been made on one of the great social questions of the day.

### HEREDITARY CRIMINALITY AND ITS CERTAIN CURE

"The best way to train a child is to begin with his grandfather," is a remark attributed to that genial philosopher, Dr. Oliver Wendell Holmes, and its wisdom is apparent to all students of the history of crime and criminals.

The level of criminality is rising and has been rising during the whole of the present century throughout the civilized world. In France it has risen several hundred per cent.; so also, for several kinds of serious crime, in many parts of Germany, while in Spain the number of persons sent to perpetual imprisonment nearly doubled between 1870 and 1883. In the United States the criminal population has increased within thirty years, relatively to the population, by one-third.

1. The criminal and vice classes are the product of certain influences of heredity, congenital and acquired disease, and unfavorable surroundings involving pernicious teachings and examples, physical necessities, and other social maladies.

2. These influences result in a class of persons of a low grade of development, physically and mentally; with a defective understanding of their true relations to the social system in which they live. Such persons have no true conception of that variable thing called morality, and, in the case of the criminal, no respect whatever for the rights of others, save in so far as it

may be compelled by fear of punishment. Some become criminals, some paupers, and still others prostitutes, inebriates, or insane.

Criminality is much like insanity. Among primitive races, like insanity, it is rare. But this rising flood of criminality should not beget pessimism, rather should it spur us on to the great task of social betterment, as a profound thinker has observed. Education alone will not rid us of criminals, for there are already, as we know, many educated criminals. Punishment alone as a specific for crime is a failure. Both education and punishment are but factors in the reformation of the criminal.

### Heredity in Crime

To a large extent the child is molded before he is born. There is no invariable fatalism in the influences that work before birth, but it does make a great difference whether a man is well-born and starts happily, or whether he is heavily handicapped at the outset of the race of life.

The begetting of children is the highest of all human functions and carries consequences that beggar description. It is well, therefore, to remember that every falling away from health, every new strain or break in man or woman may lay an additional burden on a man or woman yet unborn, perhaps wreck a life or a succession of lives.

Morrison reports that among the inmates of English Industrial Schools 51 per cent are either illegitimates or have one or both parents dead, or are the offspring of criminals and parents who have abandoned them; and he concludes, concerning the parents, that "at the very least 80 per cent. of them in every hundred are addicted to serious, if not criminal habits."

Aubrey has given the history and genealogical tree of a very remarkable Brittany family of criminals through five generations. The history begins in the last century with Aime Gabriel Kerangal and his wife. The outcome, through five generations, has been a family of paupers, of criminals, of friends of criminals, and of prostitutes, though none were insane. Suicide, incest and all sorts of reckless licentiousness have flourished in this family. Crime of blood are laid to the charge of seven persons in the genealogical tree, other offenses to nine persons.

By far the most exhaustive and careful study of the effect of heredity in the transmission of crime, however, has been "The Jukes: A study in Crime, Pauperism, Disease and Heredity," by R. L. Dugdale (Putnam's) 1877. The ancestral breeding-place of this family was in a rocky, inaccessible spot on the then frontier of New York, where they lived in cabins—sleeping indiscriminately around the hearth in winter with their feet to the fire. The ancestor of this family was born of the early Dutch settlers between 1720 and 1740—a hunter and fisher, a hard drinker, jolly and companionable, averse to steady toil and working only by fits and starts. He lived to an old age, when he became blind, and dying left an enormous, more or less illegitimate, progeny.

Two of his sons married two, out of five, more or less, illegitimate sisters. These sisters were the "Jukes." The descendants of these five sisters have been carefully traced through five subsequent generations, the number of individuals thus traced being 709. The real aggregate of this progeny is probably 1,200. This family, while it has included a certain portion of honest workers, has been, on the whole, a family of criminals and prostitutes, of vagabonds and paupers. Not 20 of the men were skilled workers, and of these 10 learned their trade in prison, while 180 received outdoor relief to the extent of an aggregate of 800 years. Of the 709 there were 76 criminals. Of the females more than half were prostitutes (52.40 per cent., the normal average has been estimated at 1.66 per cent.), and the learned author estimates that, during this period, the "Jukes" family cost the State a million and a quarter

of dollars, without taking into consideration the awful legacy of crime and criminals which they also left behind them. Nothing so instructive in criminal heredity has been published as the history of "The Jukes."

The question of heredity has been further reduced to cold statistics by Professor Poellmann, of the University of Bonn, in his investigation of the descendants of a confirmed female drunkard who died early in the nineteenth century. The fifth or sixth generation of her posterity numbered 834 persons. Of these, the records of 709 have been ascertained, and, of them, 107 were of illegitimate birth, 162 were professional beggars, 64 were inmates of almshouses, 181 were prostitutes, 76 were convicted of serious crimes, and 7 were condemned for murder. The total cost to the State of caring for this woman's pauper offspring and punishing her criminal progeny, together with the amount privately given in alms and loss through theft, was reckoned at \$1,206,000 or more than \$12,000 a year. This expense has continued and increased, in almost geometrical progression, even unto this day, for the fecundity of the irresponsible is notorious, perhaps because of their irresponsibility. To them children appear to be rather an asset, than a liability, if, indeed, they ever give the subject thought.

A further proof of the potency of heredity is shown by the investigations of the Rev. Dr. Stocker, of Berlin. He traced 834 descendants of two sisters who died in 1825, and found among them 76 who had served 116 years in prison, 164 prostitutes, 106 illegitimate children, 17 pimps, 142 beggars and 64 paupers.

Statistics appear to show that Great Britain is, as compared with the other countries of Europe and the rest of the world as well, relatively free from crime, and this comparative freedom has been explained by foreign experts as due to the former frequency of hangings and to the ruthless transportation out of Europe of all convicted of heinous offenses, thus eliminating very largely the criminal classes, and putting a stop to the further breeding of criminals by convicts on home soil. It will be remembered that in the eighteenth century, under the English law, there were over one hundred and fifty different offenses, for which the penalty of death was ordained by statute. Students of criminology, investigating further, have discovered that in New South Wales, Tasmania and Western Australia, the penal colonies to which Great Britain transferred her criminals, there is more criminality than in the other ("free") Australian colonies. These sober facts of history thus seem to show that the hereditary criminality which would have increased the crime of today in Great Britain, already greatly reduced by the wholesale hanging of felons, has been largely transferred to her penal colonies.

By way of contrast, a similar research has been made into the history of the famous Edwards family of New England. This family, descended from strong religious ancestors, embraced many of the distinguished characters of our national history, and all of them were upright and useful citizens. The comparison of these two families, the "Jukes" and the Edwards, to be found in Boies' "Science of Penology," forms a most striking instance of the strength of heredity in perpetuating ancestral traits, both virtuous and criminal.

### Various Criminality

Assuming it then as proved, first, that the aim of all criminal law and procedure is public protection against crime, and, second, that criminal tendencies as well as virtuous tendencies are transmitted by inheritance, does there not follow, as the night the day, the logical conclusion that criminals ought not to be allowed to propagate their species?

By "criminal" is meant, of course, that class best described as "instinctive criminals" who have an instinctive propensity to crime, and to whom many authorities refer as "born" or "congenital criminals" and who are possessed

of an ingrained malignity of disposition. It does not mean the occasional criminal, the every-day type of criminal, of whom weakness or inability to resist temptation is a chief characteristic; nor does it include the so-called "political criminal" whom Lambroso euphemistically, but interestingly, defined as "the true precursor of the progressive movement of humanity;" nor is it intended by the term "criminal" to include "criminals by passion," who, stung to sudden madness, transgress the law as a solitary event of their life, never, as Havelock Ellis says, becoming "recidivists," and who so far from doing wrong are doing right and seeking justice as they see it; nor does it include the so-called "insane criminal," who by reason of defect of understanding has no depravity of mind and is, therefore, no more a criminal than an animal doing a harmless act.

In an eloquent presidential address on "The coming field of the medical profession in the scientific treatment of crime and criminals," that distinguished criminologist and alienist, Dr. Austin Flint, said to the New York State Medical Association that in the future the wise and beneficent solution of the problem of crime and criminals must rest with the physician, and therein he predicted, and even recommended, the sterilization of criminals.

### The Solution

Four methods have been commonly suggested: Emasculation, a rigid regulation of marriage which shall prohibit the criminal from mating, segregation or colonization of the criminal, and lastly vasectomy. The first method works such an entire psychical and physical change in the individual that its contemplation naturally shocks the mind, and public opinion, in all probability, will never approve its legal adoption. Of the second method, it may be said that unfortunately marriage is not necessary to propagation. It may be possible, by legislation, to diminish marriage, but doubtless the effect would be to increase the number of illegitimates, thus augmenting instead of diminishing the "mischief." The segregation of "colonization" of the criminal, thus making impossible the commingling of the sexes, is approved chiefly by those who have apparently never known of vasectomy. As a matter of fact, it has been tried by the law for a time to which the memory of man runneth not to the contrary—for what else is it than imprisonment within four walls, and has this not already proved its inefficiency?

Coming then to vasectomy, a subject in which an increasing number of State legislatures is becoming interested, the physician furnishes a method of sterilizing the criminal with no impairment of the sexual function, merely the blocking of the minute canal (the vas) traversed by the fecundating element of the male, thus wholly preventing impregnation. As proof of their contention that this simple process impairs neither sexual virility nor its instinctive manifestation and accomplishment, the medical profession points to the robust sexual health of thousands of men who have been unwittingly sterilized through disease, and who never suspected that their procreative functions were not perfectly normal until their marriages prove barren. They also point to the experience of those upon whom vasectomy has been performed, among them married men who chose this means, rather than criminal abortion, to prevent the transmission of offspring of their hereditary taints, such as insanity and infectious disease.

Vasectomy is known to the medical profession as "an office operation" painlessly performed in a few minutes, under a local anaesthesia (cocaine), through a skin cut half an inch long, and entailing no wound infection, no confinement to bed. "It is less serious than the extraction of a tooth," to quote from Dr. William D. Belfield, of Chicago, one of the pioneers in the movement for the sterilization of criminals by vasectomy, an opinion that finds ample corroboration among practitioners.

Nor is this method entirely academic. It has been tried. It is in actual operation in at least one State. In March, 1907, the Indiana Legislature passed a bill thus authorizing sterilization, which reads as follows:

WHEREAS, Heredity plays a most important part in the transmission of crime, idiocy and imbecility;

THEREFORE, Be it enacted by the General Assembly of the State of Indiana, That on and after the passage of this act it shall be compulsory for each and every institution in the State, entrusted with the care of confirmed criminals, idiots, rapists, and imbeciles, to appoint upon its staff, in addition to the regular institutional physician, two (2) skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the Institution to examine the mental and physical condition of such inmates as are recommended by the institutional physician and board of managers. If, in the judgment of this committee of experts and the board of managers, procreation is inadvisable, and there is no probability of improvement of the mental and physical condition of the inmate, it shall be lawful for the surgeons to perform such operation for the prevention of procreation as shall be decided safest and most effective. But this operation shall not be performed except in cases that have been pronounced unimprovable: Provided, That in no case shall the consultation fee be more than three (3) dollars to each expert, to be paid out of the funds appropriated for the maintenance of such institution.

Upward of 800 persons in the State of Indiana have been asexualized and, according to competent medical testimony, with entire success.

#### Hereditary Criminality and Its Certain Cure

Bills substantially similar have passed the legislatures of Oregon and Connecticut, and have been introduced in Illinois, but, for one cause or another, have not become laws. Upon the law proposed for Connecticut, one of the New York journals makes this pointed comment: "Could such a law be enforced in the whole United States, less than four generations would eliminate nine-tenths of the crime, insanity and sickness of the present generation in our land. Asylums, prisons and hospitals would decrease, and the problems of the unemployed, the indigent old, and the hopelessly degenerate would cease to trouble civilization. In the breeding of horses and cattle, the survival of the fittest, only, is made possible; and the human race should be protected in the same manner from the perpetuation of undesirable and dangerous tendencies and qualities. It is to be hoped that this law will pass, and be enforced in Connecticut; and that it will become universal."

There appears to be a wonderful unanimity of favoring opinion as to the advisability of the sterilization of criminals and the prevention of their further propagation. The Journal of the American Medical Association recommends it, as does the Chicago Physicians' Club, the Southern District Medical Society, and the Chicago Society of Social Hygiene. The Chicago Evening Post, speaking of the Indiana law, says that it is one of the most important reforms before the people, that "rarely has a big thing come with so little fanfare of trumpets." The Chicago Tribune says that "the sterilization of defectives and habitual criminals is a measure of social economy."

The sterilization of convicts by vasectomy was actually performed for the first time in this country, so far as is known, in October, 1899, by Dr. H. C. Sharp, of Indianapolis, then physician to the Indiana State Reformatory at Jeffersonville, though the value of the operation for healing purposes had long been known. He continued to perform this operation with the consent of the convict (not by legislative authority) for some years. Influential

physicians heard of his work, and were so favorably impressed with it that they endorsed the movement, which resulted in the passage of the law now upon the Indiana statute books. Dr. Sharp has this to say of this method of relief to society: "Vasectomy consists of ligating and resecting a small portion of the vas deferens. This operation is indeed very simple and easy to perform, I do it without administering an anaesthetic, either general or local. It requires about three minutes' time to perform the operation and the subject returns to his work immediately, suffers no inconvenience, and is in no way impaired for his pursuit of life, liberty and happiness, but is effectively sterilized. I have been doing this operation for nine full years. I have two hundred and thirty-six cases that have afforded splendid opportunity for post-operative observation and I have never seen any unfavorable symptoms. There is no atrophy of the parts, no cystic degeneration, no disturbed mental or nervous condition following, but, on the contrary, the patient becomes of a more sunny disposition, brighter of intellect and advises his fellows to submit to the operation for their own good. And here is where this method of preventing procreation is so infinitely superior to all others proposed—that it is endorsed by the subjected persons. All the other methods proposed place restrictions and, therefore, punishment upon the subject; this method absolutely does not. There is no expense to the State, no sorrow or shame to the friends of the individual, as there is bound to be in the carrying out the segregation idea."

Dr. Rentoul, of Liverpool, has given much thought to this subject, and, more than others, has contributed to literature on this question, and he advocates the authorization of sterilization by law.

Sir John McDougall, Chairman of the Asylum Committee of the London County Council, has said: "Some day we shall come to the conclusion that some physical means should be employed to prevent the unfit from producing children."

Earl Russell, of London, is quoted as saying: "I think it admits of little doubt that if the ruling classes in the country, in Parliament, and in the law were composed entirely of people of adequate medical knowledge, some such remedy as this suggested would soon become a law of the land."

Dr. Bernardo, whose work on behalf of the children of the submerged tenth in London has given him world-wide fame, left on record these words: "Some step will have to be taken in the near future if we are to protect the nation at large from a large addition of the most enfeebled, vicious, and degenerate type."

Dr. Bevan Lewis, of England, says: "Nothing short of such radical means can stem the tide of degeneracy."

Dr. Barr, in his work "Mental Defectives," says: "Let asexualization be once legalized, not as a penalty for crime, but as a remedial measure preventing crime and tending to future comfort and happiness of the defective; let the practice once become common for young children immediately upon being adjudged defective by competent authority properly appointed, and the public mind will accept it as an effective means of race preservation. It would come to be regarded, just as quarantine, simple protection against ill."

The author of the above paper sent me the following letter in 1911:

Dear Madam:

I wish to thank you for your book on Human Sterilization and its complimentary reference to me. I wish you every success in the good work you are doing.

*Univ Calif - Digitized by Google*

I should sooner have acknowledged your letter but for my absence in the tropics where I have been enjoying a needed vacation.

Be assured of my esteem and best wishes.

Yours truly,

Warren W. Foster.

## **The Rights of the Unborn**

By Dr. Harvey W. Wiley

A celebrated writer has said that biography is the only true history. This probably is true if the biographer has a sound judgment and a reasonable degree of information. The same remark could hardly be made of autobiography. I imagine that the living person is about the least qualified to write his own history. Nevertheless, the individual himself has a more complete knowledge of the events of his own life than any other person possibly can have. If he has a sound discriminating judgment and a high conception of truth, the autobiography may become a valuable historical asset. Otherwise it may fall to the low plane of self-laudation.

From this point of view, I may be pardoned for illustrating some of the ideas which I have to convey in this article by a modest reference to myself.

I consider it the greatest asset which has ever been active in my own career to have been the son of moral, intelligent, and physically perfect parents. I mean by the word "perfect," as perfect as circumstances permit. My forebears on my father's side were Irish Protestants residing near Belfast. On my mother's side they were Scotch-Presbyterians, members of the Maxwell Clan, and thoroughly imbued with the doctrinal principles of that favored race. I say "favored" because it is universally acknowledged that descendants of the Scotch and Irish Presbyterians, or Protestants in the general sense, in Great Britain, and of the Huguenots of France, have always shown themselves to be a superior people. Not only are they a healthy race, long-lived, and industrious, but their children have been brought up with strict discipline.

I need hardly refer here to the one great fault of the American-born child, namely, the failure to learn strict obedience to parent, teacher, and elder. This habit of strict obedience not only in worldly, but also in divine matters, was one of the characteristics of my own childhood and that of my forebears. I was thus brought into the world with a good heritage physically, mentally, and morally. There is no excuse for a boy with such an ancestral line to go astray, become a vagabond, or fail to develop those characteristics of American manhood which make one a good citizen and a useful member of the community. Unfortunately, all children



can not be descendants of an ancestry of this kind, but there is no reason why good morality, good intellectuality, and good discipline may not extend to all classes and kinds of citizens and all children be trained in habits of obedience, industry and thrift.

But before any such happy condition can be attained, I believe it will be necessary for the state to exercise control over marriage to a much greater degree than has yet been done. Mating of the human animal is based almost solely upon sentimental principles. The true philosophy of life does not seek to obliterate sentiment. Its purpose is only to control and direct it. Nevertheless, it is the business of the state to inject a little common sense into matrimony. I believe there is not a single state in the Union in which the consent of the Commonwealth to the proposed alliance does not have to be obtained. That consent has been primarily, up to the present time, based upon age as its chief requirement. In most cases, the fitness of the parties for matrimony is not further inquired into than to ascertain if parents are consenting to the marriage of those that are minors.

But in the final analysis the state is not so much interested in the sentimental aspect of the matrimonial alliance as it is in the kind of citizens which this alliance is likely to produce. Based upon the established principle that the state has a right to protect and perpetuate itself, an inquiry into the possibilities of the future citizens is entirely justified. This inquiry need not be pushed to any annoying extent, but it should cover the moral and physical aspects of the future citizen. The welfare of the state does not depend alone upon the number of its inhabitants, but upon their character. Imbeciles, epileptics, syphilitics, and tuberculines are undesirable. Therefore, the state has a right to limit their number, as far as possible.

It may be well to summarize briefly some of the important factors in securing the above result. The giving of a certificate for a matrimonial alliance should be made more stringent. The age of the contracting parties and the consent of parents or guardians for minors should be required, and in addition thereto, a suitable mental and physical examination.

Several states already have made a step in this direction. The prejudice against such examination should be gradually worn down by a propaganda directed toward securing better parents. It is not well to pass laws which can not be enforced and which do not command a popular approval. For that reason, all amendments to the present code of issuing matrimonial certificates should be gradual in character so as to command rather than repel public approval. The various activities engaged in promoting the public welfare of the country, including all the health officials of nation,

state and municipality, ought to be actively engaged in propaganda of this kind.

If all the readers of *Good Housekeeping* could have read the many letters which I have received from anxious mothers whose daughters were about to be married, they would all eagerly join in promoting a sufficient protection. No one but a mother can realize what it means to her daughter to get married. No one but a mother can so longingly and eagerly anticipate happy results of the union, and no one but a mother can be so filled with fear and horror of a marriage resulting in deformed, deficient, or physically and morally tainted children. I appeal, therefore, to the women of this country to aid in promoting this most important factor in safeguarding the future of our citizens. It is not in my place to suggest particular amendments to the marriage code, but only to preach the gospel of a sound, sanitary, and hopeful parenthood. Every properly balanced man or woman who enters the state of matrimony desires and expects children. Therefore, it is not putting the case too strongly to say that healthy, moral, and untainted children are practically the sole object of matrimony.

If we are really to get the people of this country interested in the greatest of all problems, namely, a happy, healthy life, we must in some way reach their inner conscience with a feeling that proper preparation for life is the supreme duty of the present generation. If we take just a casual survey, what do we find? Hospitals, supported largely at public expense, for the blind, for the deaf, for the insane. All of these disasters—I say "all" in not too strict a sense might have been avoided by the proper selection of husband or wife. But this is not all that we see. Everywhere there are institutions for children with deficient moral development, as well as for those that are imbecile or nearly so. Reformatories are springing up all over the country where the state attempts to eradicate a naturally implanted instinct to crime, the possessor of which should never have been born. Finally, we see the organization of poorhouses where the flotsam and jetsam of humanity are collected; men and women who have made a failure of life from every point of view, but who are neither insane nor necessarily the subject of hereditary disease, but simply lacking in those qualities of industry and judgment which mark the dividing path between success and failure. If I were to attempt to collect statistics showing the enormous burden upon the community of all these derelicts, the result would be simply astounding. Thus, from an economic point of view, and that should never be lost sight of, the prevention of bringing the imperfect and defective into the world is a factor of tremendous public importance.

A most striking example of the influence of heredity is dis-

closed in a study of criminology by Dugdale in the 20th annual report of the New York Prison Commission, published in 1877. Mr. Dugdale gave the name "Jukes" to the descendants of a man whose real name is not given, but who is styled "Max." Max was born in 1720, of Dutch ancestors. He was what is called a "jolly good fellow" who hated work, discipline, and study, who loved to roam the forests and the mountains to hunt and fish, and indulge in vulgar stories. He was fond of nature and finally chose a beautiful spot on a lake in New York where the view is beautiful and all nature attractive. It was not because Max loved nature, however, that he chose this spot, but because it was lonely and gave him a chance to engage in the depredations for which he had a tendency without much fear of detection.

Mr. Dugdale finally traced and studied 1,200 descendants of Max. He called these people "Jukes," which was a local name given to fowls that did not like to roost anywhere but in the trees, and it meant when applied to a man, a worthless good-for-nothing. Of the 1200 descendants of Max 310 were professional paupers. They were in poor houses to the equivalent of 2300 years. Two hundred of these descendants died in infancy from lack of proper care and good conditions. Fifty were women who lived lives of notorious offences against morality. Four hundred were physical wrecks, due to their own disobedience of the laws of health and right living. Seven were murderers; 60 were professional thieves; 130 were criminals.

It is a curious fact that Mr. Dugdale, the historian, attributed this remarkable history not to heredity alone, but also to the environment in which these people lived. He was not aware of the fact that environment does not as a rule affect heredity in any way. It is only a more or less suitable setting for crime or for high endeavor. If a beautiful landscape could have impressed the sense of beauty on the descendants of Max the story might have been different. It is true that environment may tend to correct a tendency to these offences, and persons who are prone by nature to be paupers and criminals may be restrained from indulging in these proclivities by a proper education and association with better people; but all of this fails to change the impression of heredity.

### The Jonathan Edwards Family

In contrast with the family of Max, was the family of Jonathan Edwards, the most eminent theologian America has produced. The number of children in the families were about the same; both large, measured by present day standards. Jonathan Edwards had 10 children. His father, Timothy Edwards, was a brilliant graduate

of Harvard College. He graduated in 1661, and had conferred upon him at the same time both the Degrees of A. B. and A. M. In the language of the commencement proceedings at the time these degrees were given, it was "an uncommon mark of respect paid extraordinary proficiency in learning." Soon after his graduation he was appointed pastor of the church at East Windsor, Conn., where he remained for 65 years. Jonathan Edwards was a very precocious lad. His father taught him the classical languages when he was a young boy, and at the age of twelve he entered the freshman class of Yale.

Jonathan Edwards was an heroic Calvinist, and perhaps there never came from any pulpit in the world such stern, dogmatic, and cruel theological principles as emanated from him. It was this terrorism of doctrine which led to his dismissal from his pastorate of 25 years at Northampton. He was forbidden by a vote of the town either to preach or lecture within its confines. His family was in dire distress for the necessities of life. His wife even took in washing to help hold the family together. He accepted the only opportunity he had to help support his family by becoming a missionary among the Stockbridge Indians. At the time he entered upon this frontier work his oldest child, a daughter, was 22, and his youngest son was less than a year old. All of his boys and three of his girls were under 12 when they went to the Indian village. After eight years there, when he was called to the presidency of Princeton, five of the children were still under 20.

Thus, instead of being brought up among the beauties of nature, the influence of the placid lake and the hills surrounding it, as was the family of Max, Jonathan Edwards' children were subjected to the severest conditions and hardships that can be imagined. If environment were the only factor in making character Max's children had a much better prospect of loving the beautiful and the good than did the children of Jonathan Edwards. One of his daughters married Rev. Aaron Burr, the president of Princeton, and the father of Aaron Burr. It was to succeed his son-in-law that Mr. Edwards was called to Princeton. By strange irony of fate he had scarcely entered upon his duties, and his family were still with the Indians, when he died of smallpox at the age of 56. His daughter, Mrs. Aaron Burr, who attended him in his illness, died a few days later, and his wife, who came to get her grandchildren, also contracted the disease and died. Thus the children, many of whom were still minors, were left absolutely penniless and fatherless and motherless in the world.

### Tracing the Descendants

The descendants of Jonathan Edwards to the number of 1400

have been studied and tabulated by the same experts who studied and tabulated the descendants of Max. Among these descendants 285 were college graduates; 14 were presidents of colleges; 65 were professors in colleges; 45 colleges and universities have had descendants of Jonathan Edwards among their graduates. Among the colleges over which his descendants have presided in the east are Yale, Princeton, Union, Hamilton and Amherst. In the south, the University of Tennessee. In the middle west Hanover College. In so far as can be discovered not one of them has ever been convicted of any crime. Aaron Burr, indeed, was tried on the charge of treason, but was acquitted, and in the opinion of John Marshall, the most celebrated Chief Justice of the United States, there was no just cause for having this charge preferred against him. In so far as has been discovered every one of the descendants of Jonathan Edwards has been a respectable, self-supporting citizen. On the other hand, not one of the descendants of Max has developed any capacity for education; not one of them has secured even a moderate education. Only 20 of them ever had a trade and ten of these learned their trade in penitentiaries. More than 100 descendants of Jonathan Edwards have become preachers, missionaries and theological professors. Not one of the descendants of Max was ever elected to a public office. More than 80 of the Edwards descendants have been honored by their fellow citizens with high elective offices. Many of them have been members of Congress in both Houses, representatives in foreign countries, governors and mayors, and one of them was vice-president of the United States. Before the late war 75 officers of the Army and Navy had been descendants of Mr. Edwards. Not one of the descendants of Max has ever held a commission. The number of commissioned officers in the world war who were descendants of Jonathan Edwards is doubtless almost as great as those who have already been mentioned. There is no example on record which showed a more wonderful contrast than these two families.

No wonder then that our first duty is to provide future generations with respectable, healthy, normal, and industrious parents. This is the supreme duty which we can confer on the State of the future. I do not minimize the effects of environment, proper associates, good living conditions, sanitary surroundings, schools and colleges, technical training, and all that, but in giving the environment full credit, as I shall in some future article, I beg my readers never to forget the indelible, ineffaceable influence of the primary stress of heredity. When the two microscopic gametes, male and female, coalesce in the beginning of the living being, the work of heredity has been accomplished. Environment is called upon to do the rest. How fortunate for the future being if this original micro-

scopic, immeasurable, indefinable stress is the right sort. The breeder of domesticated animals understands this point better than the public understands its importance in human breeding. The proprietor of the wonderful Holstein cow that has taken the record for giving milk, takes his visitor into his barnyard and points out to him this renowned animal, and he has at his tongue's end her pedigree back to the original Adam and Eve Holsteins. His little boy who accompanies him to the barnyard and plays about his feet while his father is discoursing on the pedigree of his cow, is himself a scrub. His forebears have never been selected for any desirable physical or lacteal property. They have come by chance. They have never had any examination to show their fitness. They have never been tested to discover if they have in their blood the ineradicable taint of a bad heredity. If we could introduce in the breeding of human beings those dynamic facts and principles illustrated by the descendants of Max and Jonathan Edwards, and carried into practice in the breeding of domesticated animals, we would lay the foundation of a future State whose splendor, efficiency and fame would be the outstanding glory of history.

### The Eugenics Record Office

The Eugenics Record Office at Cold Spring Harbor, Long Island, established by Mrs. E. H. Harriman late in 1910, is fostered by many influential and wealthy people, and has a board of scientific directors. The aim of this office as given out is as follows:

1. To promote researches in eugenics that shall be of utility to the human race.
2. The study of the origin of, and the best methods of restricting, the strains that produce the defective and delinquent classes of communities.
3. To publish the result of these researches.

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Portland, Ore., Sept. 7, 1915.

Dr. Owens Adair,  
F. D. Box No. 10,  
Warrenton, Oregon.

My dear Doctor:

I recall the following statement in your letter of March 2nd that made quite an impression on me:

"What is our country coming to? Defective insanity, criminals and crooks! Where will we drift unless this can be stopped?"

I am handing you herewith a marked article from the Los Angeles Examiner of September 3rd, that forecasts what will have to be done along the lines suggested by you for some years past. I thought this would prove of interest to you. It is certainly time that something was done with the mental perverts as well as the physical.

I think we will have to pray for the success of your endeavor to get passed a law which is now being accepted by Mrs. Harriman, John D. Rockefeller, Prof. Alexander Bell and other great scientists of the country.

With kind regards, I am very respectfully,  
CHARLES K. HENRY.

#### EUGENIC BAN CONFRONTS 15,000,000

**Mrs. E. H. Harriman's Mighty Enterprise to Determine "What is Matter with Human Race?".. Plans Sterilization of Nation**

(Los Angeles Examiner, Sept. 3, 1915)

New York, Sept. 2.—Mrs. E. H. Harriman's gigantic eugenic enterprise at Cold Springs Harbor, L. I., to ascertain "what is the matter with the human race," launched a campaign today for the sterilization of 15,000,000 Americans.

Coincident with this amazing statement comes the exclusive announcement through the International News Service of the plans of the Eugenic Society which will have at its disposal the vast fortunes of Mrs. Harriman, liberal financial assistance from J. D. Rockefeller and Andrew Carnegie and scientific aid from Alexander Graham Bell and the greatest host of scientists ever joined in a huge undertaking.

#### Here Are Scientists Interested in the Work

Alexander Graham Bell, inventor of the telephone, scientist and philanthropist, chairman; Dr. William H. Welch, pathologist of Johns Hopkins University, Baltimore, vice chairman; Dr. L. F. Barker of Johns Hopkins, and president of the National Commission for Mental Hygiene; Dr. T. H. Morgan, zoologist of New York; Irving Fisher, professor of political economy at Yale, and Dr. E. E. Southard, the famous pathologist of Boston.

The secretary to the board and resident director is Dr. Chas. B. Davenport, the New York biologist. H. H. Laughlin is superintendent and Prof. Howard J. Bunker, noted botanist of Depauw University, has been installed as scientific expert.

The organization, after its four years' work in this country and Europe, reached the conclusion that sterilizing defectives was the greatest work before them. The committee on sterilization in its report issued today, demands the sterilization of 92,400 persons in this country this year.

#### 415,000 Persons to Be Treated in 1980

The committee estimates that it will be essential similarly to treat annually an increasing number as the population increases, until in 1980 415,000 per-

sons in the United States alone will be sterilized every year. When that time arrives there will have developed, the committee believes, a practically perfect manhood and womanhood.

Statistics gathered reveal the amazing fact that 10 per cent of the present population of the United States are defectives who must be blotted out as reproducers of human life.

Several states have made elaborate experiments with money furnished by Mrs. Harriman on sterilization.

Experiments in Kansas developed the fact that sterilization, whereby the sole effect is to prevent the reproduction of human life, is possible. This discovery is considered of such vast importance that the system probably will be generally adopted.

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### Operation of Oregon Law

#### Oregon State Penitentiary

The following is a complete report of the sterilization operations performed at the Oregon State Penitentiary. I also give the comments of the prison officials upon the results of these operations:

Joe H——, aged 38. Reason for operation: Desire to rape small girls.

"Was released on parole shortly after operation and as far as we are able to learn, he has remained out of trouble in every way."

W. R. A., aged 46. Reason for operation: Raped own daughter; had a dozen children most of whom were dependent upon charity for support.

"Was released shortly after operation. Has been working since then and supports his family. We see him on the streets occasionally. Appears to be getting along fine."

Frank B——, aged 32. Reason for operation: Degenerate practices.

"There is no question but that he is greatly benefited by the operation."

Luther F——, aged 31. Reason for operation: His desire to commit rape.

"While he consented at time he seemed to hold a grudge against those he held to blame for his operation. Was pardoned shortly after operation on condition that he return to his folks in Oklahoma. This he failed to do, and returned to Hood River, Oregon, and a few months later tried to kill the girl who had him



sent up on the rape charge, he himself being shot and killed at the time. Was undoubtedly insane."

William J——, aged 33. Reason for operation: Viciousness. "Was received here in 1919, on a charge of murdering a woman, his benefactress. He had previously served in California State Prison for trying to kill a girl. This woman secured his release and befriended him in every way. He murdered her a few months later. When received at the penitentiary he imagined he was a very tough man and threatened to kill the warden and others connected with the prison. He was placed in solitary confinement for over a year which did not seem to help him much. He finally consented to be sterilized. The matter was placed before the Board of Eugenics and he was ordered castrated. After the operation he was placed in prison yard with other inmates and has been a model prisoner in every way. He has been a good worker and has tried to do what was right. The operation certainly has benefited him greatly."

John H——, aged 17. Reason for operation: Degenerative practices—allowing other prisoners to commit sodomy on his person.

"The operation apparently has had the desired effect, at least we have had no further trouble with the boy. Previous to the operation was continually in trouble.

Sam B——, aged 36. Reason for operation: Being degenerate.

"Served several terms in reform school and received at penitentiary upon arriving at proper age. Served two terms here. Continually in trouble during incarceration, trying to escape, etc. Since operation has caused no trouble, been good worker. Consider operation very successful."

(Note: I personally interviewed this man who told me he felt better than he had for years and was glad he had had it done. I was shown his picture taken before the operation and could not help but observe a change for the better in his expression.)

John R——, aged 31. Reason for operation: Degenerative practices.

"Man was a confirmed criminal and all round degenerate. Professional stick-up man and served one term here for sodomy. Was always in more or less trouble while here. There has been marked change in him since operation. He has caused us no trouble since the operation. We are highly pleased with the result."

The following cases had been passed upon by the State Board of Eugenics and were waiting for the sterilization operation when the law was declared unconstitutional. I will leave the reader to judge for himself whether or not it would be a good thing for society and the prisoner to have such an operation:

R. A. D. Sexually perverted. Sent up on a sodomy charge.

Ned B——. Sexual pervert. Having been received for a term of 1 to 15 years on charge of sexual perversity. Paroled once and returned two months later for attempting to practice sodomy on young boys. Served term in another state on same charge.

G. R. Sexually perverted. Appears to be addicted to the habit of self-abuse, etc. Does not appear to be of a very high type.

R. O. Mental defective degenerate. Born mental defective. Spent good deal of time at reform school when a boy. Received at penitentiary when 17. Continually in trouble and spends considerable time in solitary confinement. Permits other prisoners to commit sodomy on his person.

K. R. Sexually perverted and habitually criminal. Have evidence to show he is a sodomite. Is absolutely irresponsible. Paroled in 1914 and returned 29 days later for crimes committed during that time including rape, larceny of automobile, etc. Continually in trouble.

### Oregon State Hospital

The following are a few cases taken from the records, selected at random, at the Oregon State Hospital. There are hundreds of others and they all read with a sickening sameness.

M. R., age 19 years. This patient has the history of acting in a peculiar manner for the past four or five years. She sits about in an idle manner and does not take a normal interest in the happenings about the ward. She complains at times that she is much depressed and discouraged and again has spells of laughing without provocation. She is inclined to be idle and indifferent. An effort has been made to have her work in the laundry as it was thought she was very much in need of some occupation especially as it was discovered that she was in the habit of practicing self abuse often before other patients.

Since the operation this patient's self control and general per-

sonal habits have improved. She has not recovered sufficiently to be discharged and is not capable of any prolonged occupation.

F. L., age 32 years. Employed at the farm in orchard and is a good worker and has the freedom of the grounds. This patient is in excellent condition physically and would be self-supporting were it not for a vicious habit when at liberty, at which time he persuades young boys to permit him to gratify his sexual desires by oral coitus, this barring him of his freedom. In my opinion emasculation would entirely relieve his mind of such ambition.

Since operation this patient has gotten along well and has shown no tendencies toward his former habits, is more cheerful, and is somewhat improved.

D. S., age 34. This patient has recurrent attacks of maniacal excitement, often developing at her menstrual period. Between these attacks she is perfectly sane. She is now sane and requests the removal of her ovaries believing this might prevent recurrence of her mental disturbance. Also, she wishes to avoid future child bearing on account of the hereditary character of her psychoses.

Operated upon in February 1918. Report of March 20, 1919: This patient has been at home for several months past and continues doing well.

E. S., age 25 years. Reason, continuous masturbation.

General effects of operation good. Patient more quiet, gained weight, ceased masturbation and desire for sexual relation subsided. Patient formerly suffered from insomnia. This condition markedly improved. Patient generally improved and was paroled May 17, 1918, in care of his mother. A report of December 7, 1918 from his mother, stated that this patient was quite well, very much improved mentally and physically. He was employed in the government transport service. On January 7, 1920, the mother of this patient reported that he got married to an unsexed girl and that he was well mentally and on a salary of \$1800 a year. Continues to do well.

## CHAPTER VIII.

### PUBLIC OPINION AND AUTHOR'S COMMENTS

The following clippings from papers and magazines from various parts of the United States are reprinted as source material and to show the trend of thought. For this reason they are arranged chronologically. Some of these articles may not at first glance appear to be on the subject of sterilization, but after reading them I believe the reader will agree that they illustrate some phase of the subject. I wish to call particular attention to the article entitled "Race selection urged by Luther Burbank" and those taken from the Literary Digest.

#### CRIME CHECK PLANNED

##### Chicago Lecturer Declares It Better to Prevent Births Than to Hang or Sustain Hospitals

Chicago, Dec. 12, 1907.—(Special)—Speaking on "Marriage and Divorce in the Light of Rationalism" before the Independence Religious Society in Orchestra Hall today, M. M. Mangasarian declared that it was better to prevent the birth of criminals than to hang them, and that the prevention of disease through the prohibition of marriage of the diseased and mentally deformed was more humane and economical than the building of hospitals.

"It is by regulating marriage that the extinction of the unworthy and the multiplication of the superior are to be effected. A better race can only be bred by sexual selection for parenthood.

"It is better to prevent the birth of criminals than to get rid of them by means of the gallows. The prevention of disease and insanity by throwing obstacles in the way of marriage of consumptives and the mentally deformed is more humane as well as more economical than the building of hospitals and asylums for the insane.

"It is also poor policy to care for defective children and later send them into the world to become parents, while the healthy ones are compelled to slave in factories at a tender age."

I indorse the above. I do not think there can be too many safeguards thrown around the unborn child.

For to be well born, is its God given right, but unfortunately for the helpless child, propagation does not depend upon marriage. I am advocating the cut-off road, it gets there quickly and does the work effectually for both sexes. The process is simple, benign and the only rational solution of the sex question and is now being so advocated by the great thinking minds today as the various quotations herein will show.

## STERILIZATION OF CRIMINALS

(Chicago Daily Examiner, Dec. 16, 1907)

At a joint meeting of the Physicians' Club and the Law Club, held in the Great Northern Hotel, the information was made public that Indiana has a state law through which all criminals in the penitentiaries of that state are sterilized.

The subject was introduced by Dr. William T. Belfield of Rush Medical College in an address upon the subject, "Race Suicide for Social Parasites." He said:

"Only one commonwealth in the world, the state of Indiana, has educated its people to the belief that the only way to prevent crime is to prevent the birth of the criminal. The criminal is to society what the tumor is to the human body. Worse than that, he is an hereditary contagion, and Indiana, by legislative enactment, has revolutionized the methods of his treatment."

Dr. H. J. Hurty, secretary of the Indiana State Board of Health, then spoke on "The Indiana Movement."

"Many of our criminals," said he, "asked to be sterilized, and after being released from confinement have proven good citizens."

"In one penitentiary seventeen felons have been treated against their will, but 216, knowing that they were under dogs in society's path, have requested sterilization. Under our law the State Board of Health has full power. Each jail is provided with surgeons, who examine prisoners and then advise whether they should be treated."

Municipal Judge John R. Newcomer, speaking from a legal standpoint on the same subject, said:

"Thousands of men go from the upper to the under world each year who, if sterilized, would be good citizens. If I were a member of the Illinois Legislature I would introduce such a bill at the first opportunity."

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FIRST OF A SERIES OF FINE PAPERS—(1909)

The Morning Astorian is presenting this morning the first of a series of fine papers written by Dr. Owens-Adair, of this county, on the subject of her proposed legislation in behalf of human sterilization and the mitigation of all physical and mental and moral perversion, and the criminal tendency generally, in human society. There will be a number of these during the winter and they will be of exceeding interest and even concern to this people and to those in a constantly growing field that must eventually become world-wide.

The plea set up by Clatsop's most excellent citizen and clever professional representative sounds on its initial utterance to the unexpected ear harsh and radical, and extreme even; but the more it is considered in the light of the need for some efficacious remedy for the ills of "the flesh and the devil," the more it recommends itself to the intelligent and humane principle in man and woman, and will, if cultivated, and reduced to its simplest and best expedience of application and method, become one of the cardinal rules of a better, freer, and nobler existence. The communication reads as follows:

"To the Editor—Two years ago I called upon the Legislature of Oregon to enact a law to prevent a further propagation of criminal idiots and insane through sterilization. A few years ago the community would have been

shocked by the mere mention of such a process, but we are rapidly growing broader and wiser. Even the common people are being educated up to a reasoning standpoint through our public schools, one of the strong arms of our nation which is reaching out and taking in all that is in reach that will benefit the young.

"The rapid increase of insanity and vicious elements is simply appalling; the penitentiaries, insane asylums, reform schools and homes for all kinds of defections have not only become a burden to our commonwealth but a menace as well and if allowed to proceed, where will it end? This is a pitiful calamity, one which every thinking man and woman understands and for which a remedy must be found. I realize that this is a delicate subject to handle and for that reason it has not heretofore been brought before the public, but it must be handled without gloves, from a scientific point, which is only common sense extended. I have no fears but it will stand upon its own merits, only let in the light reason and the clouds of prejudice and ignorance will disappear.

"This remedy will bring untold blessings to the unfortunates themselves both in health and disposition. The only loss to them would be the power of reproducing their kind which should not be allowed. We all know the effect of sterilization on the lower animals, they soon cease to be vicious and become quite pliable and affectionate. You may object to this comparison but comparative anatomy teaches us the truth of this assertion. It is well known that the law of transmission is a radical law both in animal and human life.

"It is true that it may skip one or even two generations but in time will gather force and assert its power for good or evil. So well is this law understood that the majority of the murders committed are defended upon the plea of hereditary insanity. If we had a law requiring the sterilization of every criminal who made insanity a plea for defense the insanity dodge would not be so frequent. Look at our own recent tragedy, a vicious and vindictive man deliberately walks into an office and shoots down a good Christian man in the bloom of his usefulness, bringing sorrow to his young wife and baby. Had the murderer been well born he never could have committed such a foul deed. And now like Chester Thompson; the boy fiend of Seattle, he may be freed and allowed to go forth to transmit his vicious blood to unborn children, which will multiply and increase with the growth of the child until something happens to bring the fiery demon to the surface and then the explosion takes place and the fearful shock is felt. No amount of training or education can completely eradicate such hereditary traits.

"Therefore, I say that every child has a right to be well born, and no vicious person should be allowed to propagate his kind by contaminating the blood of the helpless unborn child. Let us put a stop to the further building of penitentiaries, insane asylums, reform schools and homes for the defectives. These are the sins that the Bible tells us are visited upon the children to the third and fourth generation. Shall we permit these sins to be transmitted? Now I call upon you, our Legislators, you whom the public have elected to enact good wholesome laws for the preservation and protection of our state. I beg that you take this home to your heart and then cast your vote for your homes and the homes of your neighbors. Then Oregon will give you thanks and the unborn in time will rise and call you blessed. Set the example and other states will follow.

DR. OWENS-ADAIR."

### NO JEST ABOUT THIS MEASURE

Dr. Owens-Adair Again Defends Her Plan of Sterilization

Warrenton, Or., Dec. 17, 1909.—(To the Editor)—I beg space to reply to

R. W. Traver who took me to task and sagely advises a 16th amendment to the constitution, which shall prohibit the manufacture and sale of both tobacco and whiskey. Personally I should approve of such a law, as I abhor whisky and detest tobacco. I have used my feeble efforts against both all my life, but the curse is still with us. As there are about 95 per cent of all men who use tobacco in some form, and a large per cent who use alcoholic stimulants, and women are not allowed to vote, I don't just see where the "16th amendment" is coming in. Don't try to sidetrack me on the old threadbare theory, but you go right along and get your "16th amendment" and I'll say amen if I'm living.

A long time ago, about a quarter of a century, I was an active member of the third House at Salem, and that honorable body gave us a good law, not "fool law," requiring all the public schools to teach the effects of alcohol, tobacco, opium and other narcotics on the human system. This was a great step in the right direction and yet only a drop in the bucket. To make an assertion is easy but to prove it is not so easy. That the best blood without proper care and training will degenerate, while the so-called "scrubs" with such care will excel, requires proof through scientific research. I don't believe that alcohol and tobacco produce insanity. Thousands and tens of thousands of bright intelligent men have used both through their long lives and never showed the least symptoms of insanity. But had there been a trace of insanity in their blood, then those narcotics would have lighted the torch and the explosion would have been felt.

You seem to think Finch's crime was due to drink and Chester Thompson's to cigarettes, yet Thompson, Thaw and thousands of others have escaped the hangman's rope through the plea of hereditary insanity. I am not taking exception to the juries' decision, but to all such unfortunates I hold that sterilization should be the remedy. And I believe that the profession would bear me out in this, for every informed physician knows the intimate relation between the brain and the organs of reproduction. And by the aid of this remedy the uncontrollable irritation of the nervous system in many cases would be relieved and the brain would assert its normal functions.

I am conscious of the fact that there are many who smile and even sneer at this measure. Only a week ago a relative said to me: "A woman of your standing should not be mixed up in such a subject." Twenty-five years ago such a rebuke would have brought a deluge of tears and rendered me nervous and sick, but not so now, for I am following out what I believe will be a great blessing to suffering humanity. I say will, because I believe it will come. My convictions have been obtained through hard trials and long research. Two years ago while talking with Representatives Farrell, Chapin, Beals and Newell, the four young men who were brave enough to champion this bill, I said to the Secretary of State who was standing by: "You approve of this measure, do you not, Mr. Dunbar?"

"Yes I do. Any one who has lived among these institutions as I have for the last few years could not do otherwise."

And now, my friend, I would advise you to study up along these lines. Perhaps a good place to apply your theory of proper care and training would be at the boys' and girls' aid societies and the reform schools, go into those charitable homes for the demented, the helpless and the vicious, where great minds have been and are devoting their lives for the betterment of those classes. And still they increase instead of diminishing. Go there and apply yourself and perhaps you may find a remedy better than sterilization.

DR. OWENS-ADAIR.

## NOT A SUBJECT FOR JEST

(Oregonian, May 6, 1910)

Mrs. Alfred Bayliss, of Macomb, Ill., is a woman who possesses the courage of her convictions. Rising before the Illinois Congress of Mothers, now in session at Rockford, Mrs. Bayliss gave vigorous tongue to the sentiment crystallized into a bill urged before the Oregon Legislature at its last session by Dr. Owens-Adair, which provides for the ultimate elimination of criminals and insane persons by the sterilization of these classes. The wisdom of this theory is apparent; it is supported by logic that is unanswerable; of its effectiveness as an economic and—broadly speaking—a humane measure there can be no doubt. But, like the theory which has more than once been advanced by medical scientists, that the lives of imbecile and hopelessly deformed children should be snuffed out at birth, for their own sake, the sake of the commonwealth and of the race, it is one which the public is slow to indorse.

A strained idea of the rights of the individual has battled successfully thus far with the economic and the humane idea which estimates creatures of distorted human mold, of vicious nature or void of mentality as a curse to themselves and to the world. A woman must have the courage of her convictions in full measure, to enable her to rise before a Congress of Mothers and advocate the idea so bravely set forth by Mrs. Bayliss at the Rockford congress Wednesday. Thoughtful, intelligent, truly humane people will hesitate long before they denounce the idea she so strongly presented as monstrous. Indeed, it may be said that men and women of this class, generally speaking, give this theory their unqualified, though perhaps for prudential reasons, silent approval.

## RACE "SELECTION" URGED BY BURBANK

(Oregonian, August 8, 1915)

San Francisco, Aug. 7.—Only by constant selection of the best can any race be improved, said Luther Burbank, the plant specialist, in an address tonight before the second National Conference on Race Betterment. His subject was "Evolution and Variation With the Fundamental Purpose of Sex."

Environment and education alone cannot, he said, make appreciable progress in the improvement of the race. With favorable surroundings and the selection of the best types, however, the field for improvement is limitless.

Mr. Burbank described the possibilities in plant life of "fixing characters which benefit the species through natural selection, giving the new combinations new abilities to advance."

"Abundant, well-balanced nourishment and thorough culture of plants or animals," he said, "will always produce good results in holding any species or variety up to its best hereditary possibilities, beyond which it cannot carry them, and lacking which maximum development can never be realized. A sharp line must be drawn between the transient results, temporarily attained through favorable environment, and the permanent results of selection of the best individuals for continuing the race.

"What would be the result if all apple, plum, corn, melons or petunia seed were indiscriminately planted? Soon worthless mongrels only, having no character and no value for any purpose.



"Only by constant selection of the best can any race ever be improved. No education, no environment of any nature can ever make any appreciable progress, even though these same favorable surroundings may produce, through ages, a definite but infinitely slow increment, which by constant repetition becomes slowly available in hereditary, but by no means fixed, so that reproduction true to the better type can be depended on."

"The world needs a new aristocracy—a real aristocracy made of Apollos and Venuses and their fortunate progeny"—said Dr. J. H. Kellogg, of Battle Creek, Mich., in an address before the second National Conference on Race Betterment.

"Instead of such an aristocracy," Dr. Kellogg continued, "we are actually building up an aristocracy of lunatics, idiots, paupers and criminals. These unfit persons already have reached the proportions of a vast multitude—500,000 lunatics, 80,000 criminals, 100,000 paupers, 90,000 idiots, 90,000 epileptics, and we are supporting these defectives in idleness, like real aristocrats, at an expense of \$100,000,000 a year. This mighty host of mental and moral cripples is increasing due to unrestricted marriage and other degenerative influences at a more rapid rate than the sounder part of the population, so that they are bound in time to constitute the majority unless some check is put upon the increase."

Dr. Kellogg proposed a "scheme for race betterment," which he thought should be set in operation as speedily as possible. This included the establishment of a "health registry," on which should be recorded the results of an annual health inspection of individuals made by a bureau maintained by the state for the purpose, and of a "eugenic registry" to accomplish in behalf of race hygiene "what the health registry would seek to do for personal health."

"A eugenic registry," he said, "would be the beginning of a new and glorified human race, which sometime, far down in the future, will have so mastered the forces of nature that disease and degeneracy will have been eliminated. Hospitals and prisoners will be no longer needed, and the golden age will have been restored as the crowning result of human achievement and obedient to biologic law."

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### STERILIZED IN "TWILIGHT SLEEP"

**Mental Defective 22 Years Old Undergoes Operation by Dr. Haiselden**

(Chicago Herald, Dec. 20, 1915)

"The operation is so simple it is hard to realize its significance."

So said Dr. Harry J. Haiselden yesterday to a group of physicians and newspaper men in the operating room of the German-American Hospital as he completed the operation by which Edwin Brussell, a mental defective, was rendered sterile. It took but a single stitch to close the half-inch incision when the operation was complete.

"Prevention is better than cure," said the physician after he had left the operating-room. "If by sterilization we prevent the birth of defectives we shall have no Bollinger baby cases to worry us."

"When parents come to realize fully that a child is deficient—I don't mean insane to the point of idiocy alone, but whenever the child is subnormal—they should permit sterilization."

"By sterilization in this generation we can eliminate the defectives in the next. We also can eliminate many of the most brutal crimes with which the police at present have to contend."

"The operation is simple. In the male it can be performed in ten minutes

and there is practically no danger of serious results. It is almost painless and bloodless. We gave this patient 'twilight sleep,' but it was hardly necessary. It is a more serious operation in the female, yet the mortality rate will not exceed one in 500 operations. When performed on an adult the operation does not prevent an apparently normal sex life.

"The need of sterilization is felt keenly when you know the sufferings of the parents of defectives. The mothers to whom these children are a constant care understand the value of eugenics.

"It is strange that while medical science works so hard for the prevention of typhoid, for example, it does not so concern itself with prevention of the birth of defectives. I find two important works on surgery that make no mention of this simple operation of vasectomy."

## THE DESTRUCTION OF THE HUMAN RACE

By Dr. Frank Crane

(Copyright, 1915, by Frank Crane.)

Progress is in the hands of destiny. Some Mind, bigger than all human effort, and back of all that humans may please and do, in managing the race, making of it something we know not what.

What will mankind be fifty or a hundred years from now? The answer is with God.

Partly.

Partly also with us. As an individual, by excesses and diseases, can spoil his life, so the race by long practiced crimes against itself can eventually become a group of spindlings!

Mankind today, as a result of giving itself up to those utterly insane passions, ideals, and deeds, included in the idea of war, is rapidly emasculating itself.

"For more than twelve months," says M. Maeterlinck, "on every battlefield, where the bravest, the most sincere, the most ardent, and the most devoted necessarily die the first, and where the less brave, the less generous, the weak, the sick—in a word, the least desirable—alone have some chance to escape the carnage, a monstrous sort of SELECTION OF THE UNFITTEST has been going on for the ruin of the species."

We are launched upon a program of self-destruction greater than the world has ever known. Systematically weeding out the virile, what kind of crop of cowardly, effeminate, and unhealthy milksops will we have in a generation or so?

That, on the one hand. On the other every force of peaceful citizenship is at work preserving and propagating the feeble and vicious.

When the scientists propose a plan to sterilize the fifteen million subnormal and defective persons in the United States we are squeamishly shocked. We will not tolerate so un-Christian a plan.

We kill recklessly our best in battle. All the patriots exclaim how grand and noble a thing it is. Yes, yes, we must be brave and stern and heroic! But we haven't the courage to take the useless and septic life of a new-born baby, feeble-minded, filled with disease, and with no prospect of being of any value to itself or society.

"Our state law," says Dr. Anna E. Blount, "forbids idiots to marry, but it permits the feeble-minded to do so. Idiots do not marry; the feeble-minded do. The result is feeble-minded children. The number of children in such a

family averages from six to eight; the number of children for the family of a Harvard graduate, one and one-half. I am in favor of sterilization."

Anybody who can think can see what the harvest will be.

Two and two will always make four.

The accursed cause of this lies in the lack of world consciousness. We have no racial co-ordination. We cannot think in terms of mankind. We still revel in the damned nonsense of German kulture, English blood, the French national spirit, Americanism, the Slav destiny. But what about HUMANITY?

Instead of tearing, biting, poisoning, ripping, drowning and pole-axing each other, with flags flying, and bugles blowing, why can't human beings get together and HELP each other?

If we must kill, why not get together and mercifully kill, or at least sterilize, the UNFIT, instead of meeting in bloody tourneys to eliminate the bravest and noblest of us, cutting off from women their worthy mates and leaving them, as fathers to their children, the low-browed army of runts?

This article was written by one of the best known syndicate writers in the United States, and is judged by those who read him to be always clear and sane. He shows here in plain, simple language, that all can understand, that the perpetuation of the nation depends upon the cutting off of the propagation of the unfit. Sterilization is the most humane remedy ever discovered by man. It protects the unborn child, the degenerate, and the public at large. The sub-normal will receive more freedom and benefit than from any other known plan.

### FAMILY HAS 250 DEFICIENT

**Des Moines Has Spent \$500,000 for Care of Degenerates**

(Oregonian, Nov. 30, 1916)

Des Moines, Nov. 30, 1916—The world's third largest family of degenerates has been found in Des Moines. Five generations, or more than 250 persons, have been listed on this family chart. All but one of these generations have jail or penitentiary records, while scores of individuals have been inmates of state institutions for the insane or feeble-minded.

The expense to date of caring for this rapidly increasing family of undesirables is more than \$500,000, shared by Polk County and the State of Iowa. Some say the sum is nearer \$1,000,000. Every form of vice of degeneracy known to the world is said to be represented among the members of this family.

Charges that every member of this family had been dependent upon charity organizations and that no member of the family ever worked were refuted in but one instance—that of the wife of a teamster.

The result of the investigation begun in 1903 by the Associated Charities, of Des Moines, was made public shortly following the announcement made from Columbus, O., that officials there had just completed the charting of the third largest degenerate family in the country. The Ohio record showed that the 58 blood relatives were either feeble-minded, alcoholic, epileptic or insane.

First place as the world's largest pauper family has been given the notorious Jukes family, of New York, with which sociologists have been on familiar

terms for more than a generation. Investigators have given second place to the Ishmael family, of Indiana, and now the Des Moines family has been given third place, a distinction not welcomed. The Columbus family comes in fourth place.

A Virginia fuedist moved to Des Moines shortly after the close of the war. He married a dissolute woman, and several children, all of whom were mentally deficient, were born to them. All of the numerous grandchildren of the first couple were afflicted in the same manner, to the present generation.

The majority of these people are marrying and rearing large families.

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### CRITICISING EUGENICS

The February Atlantic Monthly publishes a sensible article on eugenics by S. J. Holmes. It is in reply to a recent attack on eugenic theory and methods by Fielding-Hall, who should have known better than to discuss a subject of which he evidently knew little or nothing. Fielding-Hall imagined that eugenicists wish to set about propagating human beings as stockmen do horses and cattle. This silly mistake led him into all sorts of absurdities. The leading apostles of eugenics do not wish to disturb the marriage relation and they expect to improve mankind by a slow process of education rather than by law. The only radical measures which they approve concern degenerates who exhibit insanity, feeble-mindedness and the like traits. It is admitted by all rational persons that these defectives should not be permitted to marry and propagate their miseries. Under suitable restraint they would die out in a short time and the world would be rid of their particular troubles.

David Starr Jordan has given an account of a certain district in Europe where a singularly virulent kind of cretinism had been prevalent for many years. The people, he says, "were breeding a special type of man utterly incompetent to take care of himself and useless for all purposes." The local authorities finally segregated the cretins, forbade them to marry and thus in a short time caused them to disappear. A similar policy might be pursued with regard to many other varieties of degenerates with no inhumanity to the sufferers and with immense benefit to the world. The subject of eugenics has now been under discussion for several years, but its purposes and aims are still misconstrued by men of whom better things might have been expected. It is impossible for even a Fielding-Hall to treat any social subject edifyingly without studying its elements a little.

I think the foregoing criticism deserves attention. It was written in 1911; S. J. Holmes and David Starr Jordan both take Fielding Hall to task for "Criticizing Eugenics." Holmes says: "The leading apostles of eugenics expect to improve mankind by a slow process of education, rather than by law, and that under suitable restraint preventing marriage of the defective and unfit, all such classes would soon die out." That was true at that time. The now great Eugenic Association was then young. They had not so much as begun to realize the immense problem that confronted them; but by degrees, and by constant work and perseverance, they began to unravel the mystery. And remedies which they at first thought applicable proved ineffectual. And now, after five years, Mrs. E. H.

Harriman—one of the “leading apostles,” stands up and says: “What is the matter with the American people? 15,000,000 must be sterilized!”

True, some of the people opened their eyes, and their mouths, too. Others smiled, and jeered.

They will recover.

But the people of today are thinking. And when the people think, they will act. And when they act, it will be for the preservation of the Nation!

I firmly believe that within ten years we will have a National law governing the reproduction of our future generations.

### GOOD HOMES AND WORK TO SAVE MAGDALENES.

Widely Known Woman Physician of Oregon Here on Visit Advances Idea for Rescue of Fallen Girls

(San Diego Tribune, Jan. 30, 1917)

A new theory for the solution of the problem of the women of the underworld is advanced by Dr. Owens-Adair, the woman who has urged sterilization of the criminal insane of Oregon and whose bill has passed the Oregon state senate and now is before the house. Dr. Owens-Adair is visiting San Diego with Mrs. M. W. Parker, 3061 Redwood street, who formerly lived in Astoria, Ore. Discussing the problem referred to Dr. Owens-Adair today said:

Editor, The Evening Tribune: I ask for space to say a few words on the all absorbing vice subject. Especially as it relates to the women of the underworld. The question asked by Mrs. Gambell who headed the 500 who invaded Rev. Smith's M. E. church in San Francisco, are plain sensible questions that should be answered and will be answered. The world is beginning to realize that these women are more sinned against than sinning. Through their mistakes they have reached a position, from which they cannot extricate themselves without assistance. Such help can be, and I believe will be found. In 1881 I was called at 11 o'clock at night to prescribe for a 16-year-old girl in the largest house of prostitution in Portland, Ore. It stood on the next corner to the largest church in Portland at that time. Thirty-seven years ago no woman except a woman physician would have dared to enter a house of “illfame.” But I went; and I rescued that poor, sick child, and with the help of some of the good men and women of my own church we sent her to San Francisco to her mother. Through my profession I have come in contact with many of these women and I have invariably heard the same story, “If I could only get out of this horrible business and lead a respectable life how gladly I would do so. I have only pity for them. They are human and deserve human treatment. This issue is up to us, we must meet it and work it out. The churches and all the moral classes are determined to stamp out legalized vice and to make one standard of morality for women and for men. I consider it is time for making suggestions and formulating plans for the uplift of these women. Discussions of plans are in order. Mrs. Gambell struck the key note when she said ‘not one of you women would have us in her house.’ Most people need encouragement but no class require encouragement so much as do these women. They are not looking for charity. I believe the

only desirable charity is to render assistance that will enable the dependent to become self-supporting. I believe it is the duty of every county or state to provide in so far as the dependent cannot provide for himself. These women as a whole can be self-supporting if an opportunity is provided. My suggestion is this: "That tracts of land be provided adjoining the cities and comfortable homes be built therein, and that protection and assistance be also provided until these women shall become self-supporting. I contend that they have as much right to enter the avenues of industry as have the men who have contributed to their unfortunate conditions. "By the sweat of the brow thou shalt earn thy bread" should not be lost sight of. Work, physical and mental, gives us good appetites, good digestion, refreshing sleep, and a contented mind. Many of these women are highly educated, and most of them are competent to fill some respectable place in life. A woman like Mrs. Gambell who headed an army of 500 and addressed a large audience by the side of the minister from the pulpit, could be of great service in solving this problem. Many, yes, many, such women can be found in that great underworld army.

DR. OWENS-ADAIR.

3061 Redwood St.

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## RESUME CHARITIES INQUIRY

### President Stewart Favors Sterilizing the Incompetents

(New York Times, Jan. 25, 1917)

The commission appointed by Governor Whitman under the Moreland act to investigate the State Board of Charities and other bodies having supervision of charities which receive public funds held a session yesterday in the Bar Association Building, on West Forty-fourth Street, and examined a number of witnesses, including William L. Stewart, Dr. Stephen Smith, and Thomas Mulry of the State Board.

Some lively sessions are expected here in view of the fact that it was largely the conditions in local institutions that caused the Governor to order the investigation. The Governor took this action upon receiving from Acting Mayor McAneny a copy of Commissioner of Charities Kingsbury's report stating that his own investigations in local institutions which had been given "certificates of compliance" by the State Board of Charities, had revealed conditions that were a "public scandal and disgrace."

One of the questions which Commissioner Charles H. Strong put to Dr. Smith of the State Board yesterday was:

"Do you think that the board has been kept free from politics because the members are not paid salaries and must have independent means?"

Dr. Smith replied in the affirmative.

President William R. Stewart of the State Board testified that he was in favor of sterilizing the hopelessly incompetent. He later suggested that he thought the State Board "might have more power," but said that if it had been a weak body it would not have held together. He recommended a State Hospital Board with powers of inspection. Mr. Mulry recommended the segregation of children in institutions so that they would be thrown with other children of their own religious faiths.

He told the commission the part he and Cardinal Farley had taken in settling the City Controller's controversy with Catholic charitable institutions regarding public inspection of accounting. Mr. Mulry said he stopped financial

support from the city to a Catholic institution that failed to obey the rules, and in this Cardinal Farley upheld him.

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### WHAT IS THE VALUE OF A CHILD?

(Astoria Budget, May 15, 1917)

"What is the value of a child?" asked the Milwaukee News. Well, now, let's see. A high court in New Jersey some time ago decided that no jury verdict shall stand for more than \$1,000 in favor of parents whose child has been killed through the negligence of some railway or other corporation. It is explained: "That children are not objects of income, but objects of expense." And New Jersey is supposedly a civilized state.

Say, let's be guilty of contempt of court! The reasoning of this decision is "rotten," the sentiment worse!

The most precious possessions of all of us are not the things that bring us money, but the things that take it away.

Our friendships, our loves, our very lives themselves develop, flourish, unfold, sweeten, ripen—not from what we get out of them but from what we put into them.

The home is not a matter of income, but of expense—yet it is the most cherished institution on earth!

The child possesses possibilities that cannot be calculated in dollars and cents. The tiny hands that clasp and cling to everything within their reach have the beginnings of immeasurable possibilities.

The babe's mind, soul, its heart, like the soft clinging-vine, cling only to the staunch passions, the emotion, and the impulses that endure—that are more than all the money in the world.

And when in our mad rush for gain, we run down and mangle a child—when its tiny heart ceases to beat; its life tide ebbs, and the tiny pulse slips away—then the tense silence of the home is broken with agonizing cries; then grief burns into the heart that no lapse of time can soften.

The most precious possession—one's real estate that can never be sold, mortgaged, or given away, is a little narrow grave of a child.

Yet the great state of New Jersey values it at a cool, sordid \$1,000.

Possessed of these facts the Milwaukee News might well exclaim:

"What is the value of a child!"

Its value can only be estimated by what it possesses. If well born its blood will be free from disease, and enriched not only by the superior traits of its parents but that of its posterity as well. The value of such a child to its country and to the world is beyond estimation.

### FEEBLE-MINDEDNESS

(Oregonian, Feb. 7, 1917)

The population of Arkansas is almost exclusively American. Few are the children of persons born abroad, and still fewer were born abroad themselves. Furthermore, it is largely a rural population. There are but few

cities. Most of the people were born in the country not far from their present homes.

Dr. Treadway of the public health service has just published a study of feeble-mindedness in Arkansas. The study was made under the authority of the state legislature. The investigators found 2200 white children between 6 and 14 years of age to be definitely feeble-minded. In 1910 there were 345,282 white children in the state between 6 and 14 years of age.

Treadway estimates that there are 3600 feeble-minded persons in Arkansas. From this he calculates that there are 300 families in the state in which there is the taint of feeble-mindedness or, he says: "One family in every 300 is composed of potential criminals, dependents, disseminators of disease, and is an economic loss to the community in which it lives."

About 65 per cent of feeble-mindedness is inherited. What is true of Arkansas is true in about the same measure of every other state where the population is rural, does not migrate, and is practically exclusively American.

In making the examination the children passed in review before the examiner. The teacher helped to pick out those who appeared dull or shambled along, looked wrong in any way, or who gave a history of poor progress in school. These were held for closer examination.

In addition to those who were feeble-minded there was a large group of retarded children. These generally had some sort of physical disorder. About 5 per cent were retarded because of poor vision.

The next largest group was the undersized and underweight. Enlarged, diseased tonsils was the third cause in importance. Three per cent of the boys in the rural districts were retarded because of tonsils. Adenoids as a retarder was about as important as tonsils. Defective hearing, stuttering and stammering, and St. Vitus' dance were important causes of retardation. Three and two-tenths per cent of the retarded girls had anemia and 1.6 per cent had malaria. About one-sixth of the retarded children have some definite physical disorder.

These children can become normal mentally if their physical defects can be remedied. The feeble-minded are a more difficult problem.

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## OUR DRIFT TOWARD DEGENERACY

(Literary Digest, March 5, 1921)

Too many are feeble-minded. The mentally below par fill the segregated rooms in our schools and grow up to be vagrants and criminals. Their children—who are legion—are also below par. What Seth K. Humphrey calls "the half-man" constitutes a menace to our civilization. In an article contributed by Mr. Humphrey to *The Journal of Heredity* (Washington) he concludes that our drift toward a depreciated manhood and womanhood—toward the sort of thing that put an end to all the great nations of antiquity—is undoubted, though it may be slow. Yet we can put a stop to it at any moment when we are willing to give up what he calls our "superstitious notion" that parenthood is an inviolable right. Prevent these half-men and women from becoming fathers and mothers and the race would soon recover its health and start again on the upward path. Meanwhile, says Mr. Humphrey, we take precious good care that our pigs and our potatoes do not deteriorate, whatever may happen to humans! He says:

"Who marries earliest and breeds fastest? In nine cases out of ten it is those least capable of providing their offspring with either a heritage of brains or a decent bringing up."



"We are populating the earth from the wrong kind of stock. Such a scheme of selection would wreck the quality of any other species of animal or plant. Most of us miss the eternal fact that man is a species, dependent like any other on what he inherits from the qualities which he develops.

"Suppose we begin at the beginning and follow the output of this system. Every sizable city in the land has its rooms for dullards, in great numbers and rapidly multiplying. Boston alone has seventy-seven rooms in her public schools devoted exclusively to the backward.

"The special room is mere camouflage thrown over a desperate situation. What sort of citizens can we hope to make of these incompetents?

"It seems a harsh thing to say of innocent little boys and girls, but to a very great extent these are society's future jailbirds and prostitutes. There is a very direct connection between children who can not develop and grown-ups who can not behave.

"But the special room is a very small measure of the total number of weak-minded children in the public schools.

"The less obvious of the feeble-minded are the 'border liners, or morons' men and women in appalling numbers who stumble along through to old age with just enough wit to escape the foolish-house and not enough to connect with the social order. They qualify more readily for jails and institutions than for steady effort.

"Ignorance, as a disturber of social peace, is giving way to education; but the Menace of the Half-man is growing almost unchecked. By instinct they follow any and every designing agitator who happens along.

"Precious few humans are born with a distinct inclination for crime, but a sorry lot of them are born every day with too meager brains to make a living in the paths of virtue.

"And how they do multiply! A Western city, recently having rounded up 900 of its deserters of families, discovered that they had abandoned 4,700 children, not to mention those they had left along the trails of their wanderings.

"No wonder that we have had to develop such enormous corrective and philanthropic machinery everywhere. This sort of people is doubling on our hands with every generation. Charities originally were supposed to look after the worthy unfortunate, but now nine-tenths of their effort is with born incompetents. And that is why something like eight-tenths of their effort is practically futile."

How have we come so far on the way to radical degeneracy without any attempt to check ourselves? Mainly, thinks Mr. Humphrey, because of a pious horror of interference with the right of parenthood. It is a hang-over sentiment from the ages of ignorance and superstition which we can not shake off. He proceeds:

"Our importance in this respect looks the more ridiculous when we consider how keen we are to prevent any ill-favored specimens among our plants, pigs, and cattle from reproducing their kind. We are up to the minute in guarding the heredity of every other useful species, and back with the Pharaohs in protecting our own.

"Of all the relics from the past, this superstitious notion of the inviolability of parenthood is the most expensive. The one and only way to clear the race of its burden of hereditary unfitness is to cut off its reproduction at the source. The public school is the place for the scrutiny of the nation's future mothers and fathers.

"How shall we put denial of unfit parenthood into effect? Certainly not by legal enactment against marriage. That would mean nothing to the average incompetent.

"Institutional care, perhaps in farm communities, might well be put upon

at least five times as many of the obviously defective as are now segregated. But there would still be as many more, of the 'border-line' types, for whom segregation would be an unnecessary deprivation of liberty. Sterilization is the usually proposed expedient for such cases. It is something to which the public has yet to be educated, but once it is understood it undoubtedly will have the leading part in any accepted scheme of race regeneration.

"But suppose that, for the moment, we put aside the claims of heredity and view our manner of rearing humans from the environmental standpoint alone. The first big fact that we meet is that at least three-quarters of all children are born to living conditions well below those of the average, as measured, not by wealth, but by the quality of the parents—while a scant one-quarter have the advantage of homes above the average.

"Now, what enthusiast for the power of environment would deliberately raise most of his flowers and chickens under adverse conditions? Yet this is exactly what we are doing with the human species.

"So, from the view-point of either heredity or environment our method of perpetuating humankind is a complete reversal of nature's scheme for maintaining quality of species. We may be drifting slowly, but we are drifting—toward a depreciated race."

Is such to be our end, a generation hence? Nobody knows. All we really know is that we are going along the beaten path of ages. Yet we need not follow a day longer than we choose.

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### TOWARD DEGENERACY

(Oregon Journal, May, 1921)

It is universally accepted doctrine that individual rights must give way when the welfare of the mass calls for their sacrifice. There will be none to deny that the future of the race is dependent on the quality of the children born today, tomorrow and the next day. When the race is at stake individual rights cease to be a controlling factor in the selection of measures invoked for the purpose of regeneration.

Our asylums are filled with feeble minded and insane. Our penal and other institutions are crowded with people who have been lacking in mental, physical and moral stamina since birth. Our cities hold thousands who have enough wit to escape the institutions and fall short of enough to fit in with the social order. And the number of defectives is increasing every day in the year.

On the subject Seth K. Humphrey comments in the Journal of Heredity:

"Who marries earliest and breeds fastest? In nine cases out of ten it is those least capable of providing their offspring with either a heritage of brains or a decent bringing up.

"Every sizable city in the land has its rooms for dullards in great numbers and rapidly increasing. Boston alone has 77 rooms in her public schools devoted exclusively to the backward.

And how they do multiply! A Western city recently, having rounded up 900 of its deserters of families, discovered that they had abandoned 4700 children, not to mention those they had left along the trails of their wanderings."

Mr. Humphrey maintains that nine tenths of the efforts of charitable organizations is spent on born incompetents, and that three fourths of the children born today are born to living conditions below the average in respect to the quality of parents.

Under such conditions the right of parenthood is not inviolate. It is an individual right which, if sustained in the face of the trend of the times, threatens the future of the race.

Rome fell because degeneracy swallowed the nation. The reign of Louis XIV faded out when the moral stamina of France failed. The history of the fall of kingdoms is a history of the future of the stamina of the mass. It is a future toward which an unchecked America is leaning.

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### A PLAN TO GIVE EACH MAN A JOB TO FIT HIS BRAINS

(Literary Digest, Nov. 5, 1921)

Thirteen years is the average intellectual age of Americans fit for military service. So the psychologists said after examining 1,700,000 army recruits. Of our hundred million population, it is reckoned that less than one-third are above this average, and only  $4\frac{1}{2}$  per cent. are of superior intelligence. Is democracy possible with a low intellectual majority? Yes, thinks Dr. Henry Herbert Goddard, director of the Ohio Bureau of Juvenile Research. There can be no democracy without leadership, and democracy has always shown itself willing to accept the leadership of the intelligent. So long as there are in our country nearly five millions of persons of superior intelligence, we need not despair, but we should see to it that each man is placed in a job requiring just the degree of mental acumen that he possesses. These conclusions are put forth in Dr. Goddard's Princeton lectures recently gathered in book form. Our quotations are from a review by Paul Popenoe in *The Journal of Heredity* (Washington). Writes Mr. Popenoe:

"In Dr. Goddard's opinion, with the army experience it is no longer possible for any one to deny the validity of mental tests, even in case of group testing; and when it comes to an individual examination by a trained psychologist, it cannot be doubted that the mental level of the individual is determined with marvelous exactness.

"Such considerations throw real light, the author thinks, on the search for national efficiency. For the first time society has an instrument with which to work. If the mental level of every individual in the nation should be determined, it would be possible to apportion the available jobs intelligently, preventing good men from wasting their time on inferior jobs, and protecting the public from having mentally inferior persons in positions of responsibility, where they now often are.

"In the light of this doctrine, it is easy to see why human society is relatively inefficient. Knowing nothing of mental levels beyond a crude appreciation of the fact that some men are certainly more intelligent than others, we have made no serious attempt to fit the man to the job.

"When one contemplates the enormous proportions of misfits that must exist in the industrial world and that such misfits mean discontent and unhappiness for the employee, one can but wonder how much of the present unrest in such circles is due to this fact.

"Looking at the larger problem, what about democracy itself? Can we hope to have a successful democracy where the average mentality is 13?

"There are, as was pointed out, thirty million above the average, and 4,500,000 of very superior intelligence. Obviously there are enough people of high intelligence to guide the Ship of State, if they are put in command.

"The disturbing fear is that the masses—the 70,000,000 or the 86,000,000—will take matters in their own hands. The fact is, matters are already in their hands and have been since the adoption of the Constitution. But it is

equally true that the 86,000,000 are in the hands of the 14,000,000 or the 4,000,000. Provided always that the 4,000,000 apply their very superior intelligence to the practical problem of social welfare and efficiency."

When children enter school Dr. Goddard believes their mental level should be determined. Several groups will be found. At the top are those who are exceptionally intelligent, well endowed, who test considerably above their age. This group subdivides into two: first, those who are truly gifted children, and second, those whose brilliancy is coupled with nervousness. The superior mentality of the truly gifted will mark them throughout life. They should have the broadest and best education that it is possible to give.

"The nervously brilliant group is a very important one. These children are in a stage of instability which, while it happens to make them keen, acute, and quick, is exceedingly dangerous, since experience has taught that a little pushing or overwork may very easily throw them over definitely on the insane side. These children should be treated with the very greatest care.

"A second group comprises the moderately bright children, a little above average and yet not enough to be considered especially precocious. They should, however, have their condition taken into account and they should not be compelled to drudge along with the average child.

"Then comes the average child for whom our school systems are at present made, and the only group whom they adequately serve. The question whether the training in the public schools is the best that can be devised is not for us to discuss here.

"Our next group is the backward. This group should be carefully watched from the start. Some of them may catch up with the average child. Some of them will go through their whole educational career with the same slowness, nevertheless they will get through.

"Finally there is the group definitely feeble-minded. This group will ultimately divide into the morons and the imbeciles, and each of these should receive special training and treatment.

"The lower grade imbeciles will probably not get into the school, but will be recognized at home as defective and kept there until they can be placed in an institution for the feeble-minded."

Children who are doing regular school work should be given mental tests whenever it is proposed to promote them to an advanced grade, Dr. Goddard thinks. Whenever it is shown that they have not the capacity, they should be transferred to special work, and their development carefully watched. There is a prevalent idea that every child who has the means and gets through high school should go to college. The teachers in college have long known that many who enter should never attempt to do college work. We read further:

"The same principle might be applied, Dr. Goddard thinks, to the various professions and occupations. 'Why should we not ascertain the grade of intelligence necessary in every essential occupation and then entrust that work only to those people who have the necessary intelligence? This would not be at all difficult to do. It would in some cases require considerable labor, but that is all. For example, how much intelligence does it require to be a motor-man on a street car? To ascertain this, it is only necessary to give mental tests to all the motormen, and then ascertain from employers which ones are highly successful, which ones moderately successful, and which prove to be failures. It would then be discovered that men of a certain mental level fail, men of another mental level are fairly successful, men of still a third mental level are highly successful and efficient.'

"Why should we not ascertain the mental level of people in various activities and when we find any inefficient, clearly on account of their lack of intelligence or other qualities, why should not society have the right to transfer that individual to some other line of work where he would be more efficient?

This may be too advanced a step to be taken at once, but it will surely come to that eventually. Many a person is inefficient because of an uncongenial environment which a better intelligence would prompt him to change.

"In stating clearly—even baldly—the doctrine of mental levels and pushing its application to a logical conclusion, Dr. Goddard has done a real service to biology. One need not agree with all the author's statements, to agree with him that the recognition of the innate and inalterable differences among human beings is fundamental to social progress. This will eventually make it possible 'for the intelligent to understand the mental levels of the unintelligent, or those of low intelligence, and to so organize the work of the world that every man is doing such work and bearing such responsibility as his mental level warrants.'"

In presenting the foregoing article, it is with the belief that it contains much food for deep and solid thought along the line of the proposition of "Sterilization," which may crystalize into plans that will prove of great benefit to subnormals. I have advocated this plan and believe it can be worked out and made most beneficial. It is well known that tens of thousands of educated and uneducated, have lived and ended their days in the "Mad House"—who were insane on only one or two things. Many such have shown marked intelligence and ability along many lines. When I last visited our State Hospital for the Insane,—of 1700 inmates and 300 assistants—the Matron called a woman to the room, and several others to accompany her. She played and the others sang. I complimented them, and shook hands with them, which they thoroughly appreciated, and it was easy to see the effect it had on many others in that large room which was well filled.

There can be found talent and ingenuity among the inmates of all state wards that could, and should, be brought out and utilized through sterilization and special training. Thus giving occupation to this class, which would bring health, contentment and happiness. But first of all this unfortunate class must be protected against their powerful enemy, their abnormal sexual passions, through the most simple and humane remedy—"Sterilization." I am very glad to have read Dr. Goddard's plan to give "Every man a job—that will fit his brains"—and it applies to the degenerates as well as to the subnormals. I feel that at no distant day our nation will solve this greatest of all problems—the degeneracy that faces our Nation today.

#### EDISON FEARS NEXT FIFTY YEARS—WILL CIVILIZATION COLLAPSE

(Oregon Journal, Oct. 21, 1921)

Orange, N. J., Oct. 26.—In one form or other the thought is coming to men all over the world that this civilization may be about to collapse. I heard the thought rumbling in Thomas A. Edison's mind when I talked to him in his

laboratory and at first did not know what it was. We had been talking about a number of things. Pretty soon his brow wrinkled, his face assumed an aspect almost of pain and he explained:

"Everything is becoming so complex—so complex."

Then it occurred to me that he had made the same exclamation once or twice during the same conversation. In a few minutes he made it again and I began to take notice and call for particulars.

"Oh," he said, "life is becoming so intricate, so involved, so mixed up that it is difficult to tell what will happen as the result of any act. Government, finance and industry are daily becoming more mixed in a maze that human ingenuity seems incapable of untangling. Those fellows down at Washington pass laws without any more knowledge of what effect they will produce than they might have if they were children. They pass a law to do one thing and it does the reverse. They press a button here and a totally unexpected explosion happens there. This is so because the whole fabric of our civilization is becoming so intricate that nobody can follow its designs.

"I began to notice this many years ago when a legislature out west passed a law giving a bounty for the killing of coyotes, only to discover a few years later that, in the absence of coyotes, jack rabbits were multiplying so rapidly that the law had to be repealed and a bounty offered for the killing of rabbits. And 40 years ago Herbert Spencer wrote some wonderfully illuminating chapters on the complexity of civilization in his day. Spencer took up 34 laws enacted by the British parliament for the relief of the poor and demonstrated that 32 of these laws actually harmed the poor. Oh, but Spencer was a great man. He had the finest brain that England ever produced.

"But the complexity of civilization in Spencer's day was as nothing in comparison with what it is now. The curve of complexity is rising rapidly, whereas our ability to cope with the problems of complexity is increasing only very slowly."

Then Edison uttered the sentence that shows the fear that shadows his mind.

"I don't know what will happen to us in 50 years," said he, "if this thing keeps on."

Edison apparently believes we could pull our way out if we would, but he seems not optimistic over the prospect that we will. A card on a wall in his laboratory tells the story of his doubts. It is a sentence from the writings of Sir Joshua Reynolds, reading:

"There is no expedient to which a man will not resort to avoid the real labor of thinking."

"Reynolds was right," said Edison. "Thinking is the hardest thing in the world for those to do who have not formed the habit. After one has formed the habit, it is not so hard. But everywhere in the world we see men trying to escape the full use of their minds.

"In business affairs, the tendency is to escape thinking. In the board of directors of a great corporation, the man with the glibest tongue is likely to swing the rest simply because they do not want to take the trouble to think out problems for themselves."

It is a strange thing that really great men never seem to think that the things they do are great. Edison says it is not so hard to think when one has formed the habit. Henry Ford honestly believes that everything he has done is simplicity itself and feels that he is just at the beginning of his career, during which he may yet do something worth while. Edison told me today of a problem brought to him by a concern of international reputation. He saw the cause of the difficulty that troubled them.

"I saw it as plain as day," he said, "and tried my best to make them see it, but I don't believe they saw it."

I called Edison's attention to Ford's railway achievements; how he had taken a broken down road that was losing money and made it pay; how other American railwaymen had tried to belittle his performance by declaring that he had made his road pay only by diverting to it his own great automobile traffic; how the fact was and is, as the reports on file with the interstate commerce commission at Washington show, that the present traffic on Ford's road with his automobile traffic added, is less now than was the traffic two years ago when the road was losing money; and I explained that this decrease in present traffic was due to the fact that what Ford had added was not as much as the road had lost by reason of the general business depression.

Edison's eyes twinkled.

"Ford can do a lot of things that other men cannot do," replied Edison. "Ford is an autocrat. He does not have to ask anyone's consent to do anything. And he knows what to do. He is a genius. An autocrat is the best kind of a man to run an industry or a government—provided he is a good autocrat. But there is just about as much chance to find a good autocrat, when you are looking for one, as there is chance that lightning will strike you when you are out in the rain. That is why our form of government, slow as it is, is the best. A good autocrat would give us better government, but it would probably be a long while between good autocrats."

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### ONE HEREDITARY TAINT

(Evening Telegram, May 25, 1921)

C. D. writes: "1. Can you tell me if inherited syphilis could cause a small ulcer in the nose? 2. How does inherited syphilis affect the first and second generation?"

1. Yes. Syphilis is the most frequent cause of holes in the nasal septum and loss of the bridge of the nose.

2. There are various possible developments too numerous, in fact, for my space. Many, if not most, still births are due to syphilis. Syphilis is the great cause of death of unborn babies, particularly when death occurs prior to labor. Most cases of snuffles in babies are due to syphilis. Whenever a baby is very susceptible to colds, syphilis should be suspected. Inherited syphilis is very likely to affect the bones. The liver and the nervous system feel the effects of inherited syphilis. Finally syphilis tends to breed out. Not all uncured parents have syphilitic children. Very few parents with inherited syphilis bear infected children. While it may reach as far as the third and fourth generations, this is the exception and not the rule.

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### LACK ACCOMMODATION FOR STATE DEFECTIVES

(New York Times, May 9, 1921)

Albany, May 8.—Only half of the mental defectives in the State who need institutional care can be accommodated in the State institutions, says the annual report of the state Commission for Mental Defectives, made public tonight. It recommends construction of additional facilities as soon as the state finances permit.

There are about 40,000 mental defectives in the States, the report says, adding that not all of these are in need of institutional care.

Approval given by Governor Miller to a measure to use this former reformatory at Napanoch for male defective delinquents with criminal tendencies will remedy an urgent need, declares the report. Similar provision for women has been made at the Bedford Reformatory by the creation of a special division for defective delinquents.

The commission believes that those who need custody and training but are not now receiving it are "tending to swell the criminal classes." It emphasizes the importance of pushing the organization of special classes for backward and defective children, and points to the work of four field agents who are doing preventive work among youthful mental defectives to save them from a life of crime.

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## MAN, THE ANIMAL

### He Creates Better Hogs But Improves Not Self

(Portland News, 1921)

It is joy to the just to do judgment; but destruction shall be to the worker of iniquity.—Proverbs 21:15.

Though the average city reader hears little about it, there is a great work going on, a greater work than that of the city plans, of the mills, the factories, the show places and the advertised discoveries and inventions.

The quiet work of the breeder is revolutionizing the earth before our eyes, and as definite a new order of creation is being evolved as though a new Eden appeared.

Man has in a few years so perfected the cow that one of her produces more milk than a herd did in your youth. Twenty-seven thousand pounds of milk in a year from a single cow. And man has so fixed this breeding that her grand-daughters will be greater milkers than she.

Man has taken the pung, slab-sided wild hog and made him into a great mound of bone and flesh until the fat hog today weighs more in his prime than the average driving horse.

Man has fussed with the milk goat and in a few generations has induced it to give more milk than the average scrub cow.

He has taken the hen, that averaged 60 eggs a year, and brought her up to 220 eggs, not for one hen but for flocks of a thousand.

He has created new species of hogs and dogs and cats and fowl and horses and sheep; created them with a definite ideal in mind and attained it.

The work of these last 20 years of animal breeders is by far the most wonderful work in the world, and it has meant more and better food for each of us at less cost in feed and labor; one good cow gives as much milk as five of her grand dams did, but she doesn't eat five times as much, nor does she require to be milked ten times a day, praise goodness.

And the 220-egg hen doesn't eat much more than the 60-egg hen.

But when it has come to the job of improving his own breed man has failed utterly.

There is indeed evidence that the Greeks knew more of art and beauty than we; that the Romans knew more of government and of law, and that the Egyptians knew more of the stars and of engineering.

Certainly the mind of the cultured man of 2000 years ago was as keen and as capable as it is today.



When it comes to the breed of man we average along in the grades; there are more scrubs among us than there are pedigreed folks, and there are more loafers and drones and lack-wits than enough.

If man could only devote his best energies to himself for a few generations, even though he made but a tenth the progress he has made with hogs and dogs and horses, still he would produce a race of supermen. Men who would live happily, work effectively, think beautifully, reason clearly, act with certainty, move with grace and delight with their charm. Great, giant men with deformity.

Gee, but we city people are ugly. The savage of the jungle is a beautiful animal but we of the civilized towns are scrawny leather skinned, weary eyed, knock kneed, flat footed, hollow chested specimens that the starving New Zealander would hesitate to dump in the family pot.

What is man that thou art mindful of him?

What indeed?

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### INSANITY OCCURS EARLIER IN SUCCESSIVE GENERATIONS

(Oregonian, May 5, 1921)

According to Dr. Kener, director of a large lunatic asylum in Roumania, insanity, when transmitted, occurs at an earlier age in each successive generation. Of 250 pairs of parents, reports the Journal of the American Medical Association, and offspring, 39 per cent of the offspring were found to have had their first attack of insanity before the age of 25, a considerable portion being congenital imbeciles. Mothers transmitted much more frequently than fathers, and daughters are affected more often than sons; also the offspring are affected at about half the age of the parent, being in most instances either congenital imbeciles or cases of adolescent insanity.

The study of pedigrees reveals the differences of manifestation of a neuropathic taint. In some members of the tainted stock it may appear as chorea, epilepsy, migraine, neurasthenia, exophthalmic goitre or diabetes; in others it may be a matter of temperament, eccentricity, exaltation, melancholy or feeble will power. A neurotic inheritance is liable to bring about the establishment of certain morbid mental habits; and when such an inheritance is strong there is great risk of the development of organized delusions. Proper care may keep the latter tendencies in check, but an improper environment in which there is temptation to drink, evil companions and the like, may result in insanity, crime or suicide. In a third generation these inborn tendencies may appear in a more intensive form, resulting in congenial imbecility and feeble-mindedness. Dr. Kener has found this to be the case when two first cousins, not insane but coming of a tainted stock, have married and borne children.

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### WOMAN HORRIBLY BEATEN BY BOY MAY NOT SURVIVE

(Oregon Statesman, July 15, 1922)

The Dalles, Or., July 15.—Mrs. A. P. Watterson, wife of a poultry rancher living three miles southeast of The Dalles, was brought to a hospital here late today terribly injured as a result of an attack alleged to have been made by Pacifico Rosa, a 14-year-old youth, believed insane. Rosa is charged with having struck Mrs. Watterson over the head with an iron bar about three

feet long as she was bringing him some cucumbers from her garden about 200 feet from the house.

After knocking her down, he struck her four or five blows to her face and body with the bar. He was arrested by Sheriff Chrisman at the ranch of his father, Roman Rosa, about one half mile from the scene of the crime. He made no attempt to fight or resist.

One more type of degeneracy which should not be allowed to multiply. There are too many of these.

### SCRUB BULL IS TARGET

Chehalis, Wash., Jan. 10.—(Special)—There was a representative attendance yesterday at the meeting held in the Citizens' club rooms under call of Dr. S. B. Nelson, head of the extension department of the State college, Pullman, to put under way a campaign to eradicate the scrub bull from southwest Washington counties. Lewis, Grays Harbor, Mason, Thurston, Wahkiakum, Cowlitz and Clarke counties were represented at the meeting by county agents, as well as by breeders of various types of beef and dairy cattle.

The outcome of the meeting was that January 24 there will be held in the various counties meetings under direction of the county agents, at which the survey plans will be made to obtain data as to how many scrub bulls there actually are in service in the southwest Washington counties, and later to put under way plans to eradicate the scrub bull. Similar meetings are to be held simultaneously all over Washington, the Chehalis meeting being but one of a number of district gatherings. The survey to find the scrub bulls will be held the week of February 1.

I am heartily in favor of the movement to dispense with scrub bulls. Oregon has such a law, and uses it. She also has a commitment law. Why not call together those who are interested in human thoroughbreds to find out how many scrub families there are in your neighborhood, ascertain how many scrub children they have, and formulate plans for preventing any more?

### STERILIZE BAD CRIMINALS IS PLEA OF ELLIS

By Wade H. Ellis, Former Assistant United States Attorney General

(Capital Journal, June 17, 1922)

Washington, June 17.—The United States is being swept by the greatest and most threatening crime wave in its history. Unless drastic measures are adopted to check it, society here is confronted by a state of affairs that will lead, not perhaps to a state of anarchy, but the development of a school for anarchists and those who deem it a virtue to oppose law at every opportunity.

What, then, are the most efficient remedies?

I believe the adoption of the following measures will tend to lessen crime and inspire a higher regard for the law:

1. Sterilize the criminals—second and worse offenders. The necessary operation, I am informed, is painless and may be accomplished by use of the

X-ray. Sentimentalists may object to this method but it is producing good results in several states.

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### WOULD STERILIZE PEOPLE NOT FIT

(The Spokesman Review, April 19, 1922)

Sterilization of people who are unable to bear fit children was urged by Dr. A. T. McCormick, health officer of Kentucky and formerly in charge of sanitation in the Panama canal zone, in an address before the public health institute at the Davenport hotel last night. Every seat was filled as Dr. McCormack reviewed the factors that tend to cut down death rates and make for more efficient living in the country.

"We ought to do something to prevent the conditions that are filling our penitentiaries and asylums," said Dr. McCormack. "No diagnosis is made of the people sent there and they get little if any treatment. An insane or imbecile mother will transmit that insanity or imbecility to her children until the end of time. We haven't the courage to face this thing and meet it face to face."

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### MAN AND WOMAN ARRESTED

(Oregonian, June 3, 1922)

Elmer N. Duvall and Lida Bowles were arrested Friday night by Deputy Constables Watkins and Druhot, charged with a statutory offense, on the complaint of Joseph Bowles, husband of the woman and patient in the tuberculosis ward of the state hospital at Salem. The woman is the mother of eight children, only six of whom are acknowledged by her husband. On arrest she denied having more than two children on the ground that the others had been taken away from her by the court of domestic relations and consequently were not hers. Duval was placed in jail.

The above will be read by thousands to be forgotten. And yet this should be a great lesson that should be understood. And if comprehended it will bring a chill not only of disgust but of dread of the possibilities that may overtake us as a nation. This should arouse every thinking man and woman to the realization of the rapid increase of degenerates. Think of that vile man in jail for the want of a few dollars for bail, who will soon be out to propagate his kind. She stark free to do the same thing. Think of it, eight children and three grown ups at the county's expense with the privilege of going right on piling up taxes for their filth. If the people could be brought to this realization they would rise up and demand laws for their protection from this great army of degenerates.

*Univ. Calif. - Digitized by eGangotri*

## ALBANY YOUTH COMMITTED TO ASYLUM FOR FOURTH TIME

(Albany Herald, Aug. 16, 1922)

Albany, Or., Aug. 16.—(Special)—For the fourth time in less than a year, Albert Nyhus, son of Mr. and Mrs. Charles Nyhus of Albany, has gone to Salem in charge of a state officer, this time because he became angry when his mother refused to give him more than half a sack of tobacco when he wanted the whole sack.

Nyhus was first committed to the state industrial school last fall on the charge of forgery. He was transferred to the home for the feeble minded and in the spring was paroled to the local county court. Early in July he was given permission to visit with his brother at Alsea, where he cashed two more worthless checks.

For this, he was recommitted to the home for the feeble minded. The night after his arrival there he crept out of a window, clad scantily and returned home.

He was taken into custody the following day and was returned to the state institution. Upon his arrival there that night he escaped for the second time and since then has been allowed to remain unmolested at the home of his parents in Albany, under the care of his brother.

According to the story told by the young man's mother to the sheriff Nyhus became infuriated when she refused to let him have the sack of tobacco. He demolished their phonograph and attempted to damage their automobile. He also threatened to kill his parents.

When he saw his mother go to the telephone to call Sheriff Kendall, Nyhus ran away and hid in a thicket, but he was apprehended and brought to the county jail.

The remedy for this case should be emasculation.

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It is with my full indorsement that I present this very excellent editorial on Prof. Andrew's Address. I have never and do not advocate destruction of life, but, I do advocate the prevention of disease, deformity and crime. I am advocating a benign remedy which can and will when applied, restore many, many a helpless victim to health, usefulness and happiness.

## PROFESSOR ANDREWS AGAIN

Professor E. Benjamin Andrews, whose peculiar views upon public matters have been buried for a few years past under the duties of chancellor in the University of Nebraska, has broken out again with a radical opinion. In a recent address before the students of that university we find these words:

Society, as it becomes more enlightened, will snuff out the lives of sickly and deformed infants, to prevent their becoming at maturity a burden to it and to themselves. As with the cradle, so it will be with other cases. A committee of skilled physicians, I firmly believe, eventually will determine the fate of those who are sickly, or whose recovery from disease is impossible. Such persons, if the physicians agree, will mercifully be put to death.

This theory is not new. Physicians have advanced it more than once before medical societies, and it is impossible to tell how often some of the

more courageous and humane in the ranks of the medical profession have reduced it to practice. Yet as a theory it does not need public approval, and, indeed, it can scarcely be said to be growing in favor. It may be conceded that it would be better for the world and better for the individual against whom the decree of idiocy, of hopeless disease or of hideous bodily deformity has been passed by Nature, if all thus afflicted or deformed could die; but the belief is general that no human agency can be trusted or should be trusted to carry out in silence and secrecy the death sentence upon those thus unfortunate. The instinctive protest that arises against the proposal, as set out in plain words by Professor Andrews is based upon a knowledge of human fallibility from which not even the skilled physician or the man of science is exempt.

It is well in this conclusion to remember that some of the world's greatest men and its most useful women were frail and feeble infants—"sickly," as Dr. Andrews has it. The late Herbert Spencer was a puny, weak child, and during all of his long life he was compelled to be very careful of his health. The same may be said of Ruskin and of Mrs. Browning, and coming across the water, of Horace Greely and Whittier. The deprivation to this world would have been great, indeed, had a committee of skilled physicians passed the death sentence upon any one of these in infancy.

While demurring to the theory of Dr. Andrews so far as it pertains to sickly children or to persons whose recovery from disease is regarded as impossible, it is easy to indorse his view as applied to physical monstrosities or congenital idiots. In the case of such person it is manifest that no mistake could be made in passing a sentence of painless death upon them, and no doubt in time humanity will come to the aid of social science and political economy in ordering that such as these be mercifully released from the bondage of existence that is not life. The lives of such unfortunates are an expression of effect—not of cause. When, to use the words of Dr. Andrews, "society becomes more enlightened" we may well believe that the cause will be dealt with and the effect thus eradicated.

## CHAPTER IX.

### OREGON PUBLIC OPINION—CLIPPINGS AND LETTERS

The following clippings from newspapers, letters, speeches, etc., are worthy of publication because they show the trend of thought in Oregon—how people have gradually been educated to treat the subject of sterilization as a scientific question which must be settled. To some it is a social problem and to others it is a religious one, but to more people the question is an economic one. The taxpayer's burden has reached the point that a straw will break the camel's back; and a great proportion of our taxes go to the maintenance of the institutions for the defective and degenerate. The remedy for this serious situation is to stop the procreation of the unfit.

Among these clippings there are many fine editorials. I also especially commend to the reader the splendid articles by the late George A. Thacher, criminologist, connected with the Prisoners' Aid Society.

#### THE PROBLEM OF THE UNFIT

(Oregonian, 1906)

Three eminent Indiana physicians have in the course of preparation a remarkable bill for submission to the State Legislature. In the opinion of Dr. Harvey Adams Moore, who speaks for his colleagues on the subject in the Indianapolis Medical Journal for last December, the bill, if it is adopted, will bring to pass "a steady reduction of the social diseases toward the smallest possible minimum." It is not expected, naturally, that this will be done over night. The plan of campaign, we are told, "involves many years of hard work and constant co-operation with the public." The phrase "social diseases," as used in this extraordinary bill, includes not only the maladies of vice, such as venereal troubles and alcoholism, but also poverty and criminality. The ambitious project of these physicians aspired to make the entire human family, as it exists in Indiana, healthy, and, to a reasonable degree, happy. The bill seems to be intended as a supplement to the educational ideas of Dr. Maria Montessori which have been adopted in the Indianapolis public schools.

In any case the Montessori reforms "deal with the child after it is born" and do not touch upon the profound problems which affect its procreation. The medical profession, in Dr. Adams' portentous language, must not only join with the teachers in "combatting the evils that exist now, but must consider the child before it is born, must determine when and by whom children shall be" brought into existence. The bill is, as yet, in a tentative state. The committee of learned medical men who are preparing it invite criticisms from the world of social students and they have enlisted the services of expert counsel to forestall legal objections and difficulties. Should the Legislature pass the bill when it is finally presented Indiana will enter upon an experiment whose significance to human welfare is immeasurable. "The time-worn vice

crusade, the religious revival, the ostrich-like sticking of the public head into the sand of ignorance," will be replaced by scientific work along the lines of exact knowledge.

No doubt the cry of tyrannous meddling will be raised against the provision, but if the citizen and his children are valuable to the state, why should not the state see to it that their health is taken care of? When the British authorities began a campaign of cleanliness in their cholera districts of India the mobs set up a howl of tyranny, but it was not very long before they made up their minds that the sway of the cholera bacillus was more terrible than that of the health officers. The acceptance of this part of the bill will be in direct proportion to the common sense of Indiana's citizens, which we understand, is rather extensive. So far so good. Up to this point the bill must win the encomiums of all who love their kind. But now we come to a part of it where obstinate doubts intrude. It is the section referring to the "sterilization of the unfit." The local health officers are required to report to the county board all cases of "mental and physical deficiency," which endanger the health of offspring. This includes idiots, imbeciles, epileptics, persons permanently of unsound mind, and those suffering from incurable diseases transmissible to their children. Such cases are passed on to the State Board of Health, who submit them to examination "by two physicians in good standing and practice." If these examiners agree that "such person is incapable of procreating sound offspring" he may be shut up in a hospital and kept there indefinitely under trained nurses. Finally, if "two skilled surgeons of recognized ability" deem it unwise for him to have offspring and pronounce him unimprovable, he shall be sterilized.

In our judgment this is dangerous. Not that we object to "sterilization of the unfit." In many cases it is eminently proper, but it should not be done without the most elaborate precautions against wrong. The concurrent opinion of two physicians or twenty is not enough. There should be no secrecy about the proceedings, no chance for professional bigotry to come into play, no opportunity for malice or venality to wreak its terrible deeds. No person should ever be subjected to this operation without a trial in open court before a jury, and even then he should have all the securities of any other jeopardized person, with an appeal to the higher courts and the benefit of the writ of habeas corpus. The medical profession deserves the gratitude of mankind for its invaluable services, but we are not yet quite ready to place the destinies of the world in its sole keeping.

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Vancouver, Wash., February 5, 1907.

Dr. Owens-Adair:

Dear Friend:—Allow me the honor to respond to your article which appeared in the Sunday Oregonian of January 27, 1907, in reference to the sterilization of certain useless and vicious persons.

There are several things which may seem strange to you about my letter. (1) Its being penciled; (2) my boldness in addressing you as a friend—I being a stranger; (3) that I, a Christian minister, should agree with you. But believe me, dear fellow, I not only agree but even (though I do not literally see you) I'll go you one or two better.

I assure you, dear co-worker, that as an ordained minister, I am somewhat handicapped by the prejudices among my fellows, both feminine and masculine, yet I have on every proper occasion recommended the attempted legislation in Ohio and Iowa, and Wisconsin for the reduction of parasites. I believe not only in sterilizing of both men and women, boys and girls, who are either weaklings, physical or mental, the blind, the cripples (hereditary) the

hideously deformed, the epileptic, and the insane, but also the immediate progeny of insane.

Furthermore, I have advocated, and do yet recommend, the wholesale electrocution of the incurable of either or all of these classes, when life to them is a mere unconscious, or semi-conscious existence.

As to the vicious, libertines of either sex, my doctrine is, sterilize them as well as restrain them. In this I am sure I observe the golden rule. Whenever I fall into either of the misfortunes above set forth, do unto me as I have prescribed for that class. Am sure this would rid the future generations of much sin and misery, reduce taxes, increase the sum of human happiness, and hasten the millennium for which we preachers are earnestly praying.

With heartiest good wishes for your success in the promotion of untold blessings, believe me.

Your humble friend and fellow servant,  
REV. ST. D. MARTINE.

P. S. I have very ample evidence right here in this town, of the influence and danger of these abnormalities.

(Pardon pencil; type-writer frozen.)

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Portland, Ore., January 1, 1909.

Dr. Owens-Adair, Warrenton, Oregon.

Dear Madam:—I have been much interested in your movement for the passing of a law for sterilizing all our criminal and insane wards of the state, I consider your position both sane and humane. Four years as chaplain of the Illinois State Penitentiary at Joliet, Ill., gave me an insight into the conditions that prevail among criminals both in and out of prison walls that confirmed me years ago of the righteousness of your contention. The conduct of criminals within the prison were of such a horrible nature that it would be a burning shame to place them upon white paper. But if anyone is curious to know what I am hinting at let them read Paul's first chapter to Roman's.

What a boon your bill would be to the prison management. While as an additional argument I would suggest the deterrent influence such a law will have upon criminals of all classes. The fear of this law would make a stronger appeal to the criminal than any sentence that any court might inflict upon him. Even a sentence of death would be preferable to a man a criminal than to be unsexed. If there is anything I can do to further your campaign command.

Yours very sincerely,  
J. J. WALTER, P. H. B.

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### MAN'S BIRTHRIGHT HIS SUPREME CLAIM

Clever Article on Doctrine Set Forth by Dr. Owens-Adair

(Morning Astorian, 1907)

Editor Morning Astorian:

I insist that I am entitled to certain inalienable rights of birth, due to me from that generation which preceded and brought me into existence. I am the innocent product of that part of human society; and upon them devolved the responsibility of giving me all possible advantages to wage the battle of life successfully. I am entitled to a sound body, untainted by ills sinfully con-



tracted by my progenitors. I am entitled to a clear intellect, undimmed by reason of alcoholic and toxic drug addiction on the part of those who incidentally or intentionally procreated my brain. I am entitled to natural tendencies toward that which is uplifting to the human race, unimpeded by degenerative habits wrongfully contracted by any one instrumental in my advent. I am entitled to parents who are not degrading to me by reason of being criminals hampering my progress toward high ideals by unmerited disgrace.

The right to all possible assistance in being better, smarter, healthier, and more noble, from those who have immediately preceded me, is my birth-right, and if I have not been accorded my rights, and if you have not been accorded your rights, then it is high time that we, as responsible members of human society, endeavor to provide against such monstrous wrongs being perpetrated against children yet unborn.

Theorists may proclaim these truisms, and philosophers may admit them, but through the medical profession must come the practical methods of securing results if they are ever to be achieved. "Undesirable citizens" should not be propagated. If the family does not properly control the product to this end, society should step in and control the family by means which will insure the desired result. Habitual criminals have no right to propagate children with criminal tendencies, and people who are afflicted with disease which we know renders their offspring weaklings, should not want to bring unfortunates into the world to live a life of suffering, short though it may be. This matter has been called idealistic and visionary, but is not. It is the human perfection in practical way. Punishment for crime has been largely in the nature of revenge, which is entirely wrong. As an example which will deter future commission, and as a corrective of criminal tendency, punishment may be of some service to society but a punishment that will actually prevent future crime is of far greater service to mankind. What more logical and appropriate punishment for rape than sterilization? When, from some unfortunate physical condition, a man should be prevented from procreating, how proper and at the same time personally beneficial it would be, to occlude the spermatic ducts by a drop of carbolic acid hypodermically injected, turning back the secretion to reinforce the vital powers while reproduction is stopped.

How illogical is restriction of marriage. If marriage had no other motive than reproduction, then restriction might be right. And if reproduction could be restricted to wedlock, restriction might be right. But there is a sweet companionship in wedlock not based upon sexuality which human beings have a right to enjoy. Medical science can painlessly, perfectly, easily and properly prevent the propagation of both physical and moral degenerates if directed to do so by the laws of the land. Society has the right to make rules for its welfare, and what line of procedure could be more uplifting to the race than eliminating physically, mentally and morally imperfect members by wise and righteous prevention. The earth is fast approaching human repletion, and the quantity of human beings is of far less importance than quality. Procreation being based upon physical tendencies almost exclusively the majority of the product naturally comes from those in the lower grades of society, and from families restricted by poverty from many of the advantages which a child should be entitled to receive.

A properly bred and well brought up individual is a great advantage to society, but a degenerate is a burden for which there is no good excuse. It is absolutely incompatible with right to destroy the degenerate or infirm, but human sympathy and nobility of spirit are not outraged by proper and wise prevention. How truly appropriate the admonition given to the violator of sexual law as he arises from the operating table, "Go and sin no more."

It is a well known fact that the sterilized man soon becomes mild-man-

nered and to a certain extent effeminate, a change in the tendencies of almost any criminal which would be truly desirable and greatly to be wished for. While the man who is thus simply treated not only retains all of his manly tendencies but adds to the sum of his usual vigor the vivifying influence of retained material having the highest known vital composition. Thus the two methods serve to correct wrong in either case appropriately, punishing the guilty by a penalty which is truly abhorrent, while acting as an effective preventive of progeny, and improving the physical chances of the unfortunate invalid while protecting society against propagation of his infirmity.

DR. CHAS. C. C. ROSENBERG.

Astoria, Oregon, 1907.

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Warrenton, January 25th, 1907.

To the Editor:—A short time since while in Portland, Prof. D. A. Grout said to me one morning, "Dr. here is something that will interest you," and he read the following, "Sterilize the Insane. Wisconsin will attract attention by the serious effort to be made to enact a law for the sterilization of the feeble minded and insane wards of the State. The plan has found indorsement among many sociological students and is approved by the State Board of Control." "Yes," I said, "that does interest me, and I wish I were there to assist in getting that bill through and I assure you that it is my intention to work in favor of legislation along those lines." Not until March, 1904, did the first opportunity come to me to use my pen. When I read in the Oregonian that "A prominent Chicago club woman startled and shocked her associates by declaring that there should be a law requiring physicians to destroy at birth all deformities," and that The Oregonian "sent out reporters all over Portland to interview both men and women on the subject," I said to my friend, Mrs. Parker, "Now is my chance for which I have waited 20 years." I sat down and wrote my views on that vital question, and read my notes to her. She said, "Dr., the Oregonian will not publish that, it is too broad." I replied, "I believe the Oregonian will publish it, but if it does not, just remember it will not be many years till every great paper will be willing to publish full discussions on this subject."

I am proud to say the Oregonian did publish that article, and that Hon. Harvey Scott, the editor, stood faithfully by me in all my work, till the time of his death.

The Oregonian not only published that article but introduced it with the following headlines, "Favors the use of the knife; Physician recommends operation for defectives; means chance for recovery for unfortunates themselves. Prevents propagation of unfit children." Today I picked up an Oregonian and running my eyes down the columns, I saw in large headlines, "Thompson Poor Scholar Boy Murdered." Another item, "Tacoma saloon keeper charged with a detestable crime, entices a 14-year-old girl in a room over his saloon and keeps her there for two days," further on, "Marriages only for the fit, Rev. Driver preaches eugenics to women at the Sunny Side Church." I am glad to know that Dr. Driver is working along these lines, he is eloquent, logical and resourceful, but to my mind this subject demands more radical treatment. "If thy right hand offend thee, cut it off," I hold that we should go to the very root of this great evil and cut it off, wherever it may be found. I have little faith in the ultimate success of this pruning process, for the weaklings and the vicious are neither prunable or teachable. They are a menace to the vitals of our nation, and should be regulated and controlled by the strong hand of the law. Love does not always go where it would be sent, or most desired. It may come like the gentle cooing of the

dove, or the soft sweet dew drops in the balmy morn or it may take the form of a violent passion and sweep down like a whirlwind of destruction having no thought save its own selfish gratification, but love however or wherever it may be found, as a rule, is deaf to reason or entreaty. Therefore I hold that marriage and propagation cannot be regulated or controlled by certificates of health and fitness from physicians and scientists, but as the sins of the parents are visited upon the children beyond the third and fourth generation, it becomes our duty to rid ourselves of the curse of insanity and all kindred evils. Are we not staggering under enforced taxation for the support of our weaklings, our monstrosities, our insane and our criminals? A large portion of this class could be rendered self supporting by simply rendering each and every one sterile, which would prove a blessing to them and protect our commonwealth from a future propagation of their kind. If we could have a law declaring that every rapist or defiler of youth and virtue, should be rendered sterile, what think you would be the effect? I believe it would be more effectual than the penitentiary door, the hangman's rope or the torches of the South. It is a well known fact, that any animal, when rendered sterile, loses much of its vicious and ungovernable nature and soon becomes docile, useful and contented. This law will hold good in the human race as well. What objection can there be to such a human law, to my mind there can be but two objections, first, sentiment; second, what I would term false ideas of personal rights. And now I will ask in conclusion, is there not a member of our present legislature who is willing to perpetuate his name by introducing a bill that will regulate and control this evil? Let Oregon show that she cannot be outdone by Wisconsin.

DR. OWENS-ADAIR.

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### A CLATSOPIAN TALKS IN VIGOROUS TERMS

Substances of Address Delivered by Dr. Owens-Adair in Portland

(Morning Astorian, 1908)

The Astorian is pleased to be able to submit the text of Dr. Owens-Adair's recent address before the Oregon State Woman's Suffrage convention, in Portland, and to commend its careful perusal to every thinking man and woman in the country:

"I am not here to make an address, only a few minutes talk. It would be superfluous to tell you that I am in favor of equal suffrage for everybody, who knows me, knows that. To use an old homely expression, 'I have always been doubled and twisted and dyed in the wool.' I have never been much of a talker, but I have been a worker. A very radical and aggressive worker. I have always followed out my conscience, and have thereby many times shocked the sensitive nerves of my friends and the public as well.

"But the public is not so easily shocked as it was 40 years ago. I have lived a long time in Oregon. I think I was present at the birth of the New Northwest. I worked hand in hand with the editor through all those stormy, stormy times. But there are no more battles of scorn, abuse and derision to be fought. Tar and feathers, rotten eggs, together with such lovely epithets, "Blue stockings, breeches and crowing hens" have been relegated to the past, never to return again.

"Today it is brains versus idleness and ignorance. We have nothing now to discourage us, nothing to make us cross and ugly. For the work now is a pleasure and not a deprivation. Just stop and measure the future by the

past. Where will we be 40 years hence? This is an age of rapid progress. We are going ahead with leaps and bounds." Think of it. Women are found in almost every avenue of industry today. The trades and professions are open to her, and she is proving her ability in all directions. There are many ways to work a problem, and we will solve this voting problem. Unity and numbers always give strength, and bring success. We have both. The leaven of forty years ago has not only leavened these United States but the United Kingdom as well. All over the universe today women are rising up and taking hold with hands and brains, of everything that comes within their reach and they are demanding equal shares, equal pay and equal rights with men. I don't feel half so badly as I did 20 years ago because I am not allowed to vote, because I know the better class of men, men of brains and education are willing and anxious for women to vote. It is because the low and ignorant that oppose us and they are unfortunately in the majority. But with the better element behind us, we will overcome the opposition. Where there is a will, there is a way, and we will find the way. I believe all the sorrows and struggles of our lives, are blessings in disguise, the struggles, the sorrows, the smoke and the fire through which the pioneer women have passed have given to women all the opportunities which women possess and enjoy today. Woman's work has ever been for the good of humanity.

"Four years ago a prominent club-woman startled and shocked her associates by declaring that there should be a law requiring physicians to destroy at birth all deformities. The Oregonian sent out reporters all over Portland to interview both men and women on the subject. I said to my friend, "Now is my chance for which I have waited 20 years." I sat down and wrote my views on that vital question and read my notes to her. She said, "Doctor, the Oregonian will not publish that. It's too broad."

"I believe the Oregonian will publish it, but if it does not, just remember it will not be many years till every great paper of this borderland will be willing to publish and discuss this vital subject. I am proud to say that the Oregonian did publish that letter. It introduced it with large, appropriate and attractive headlines. Now contrast the editor of the Oregonian with the doctor of 20 years ago, who accompanied me through our state asylum. After passing out of the pitiful and loathsome ward, I said, "Oh, doctor, where is this to end?" "It is hard to tell," he said: "Well," said I, "if I had control here as you have, I would see to it that these poor, miserable creatures would have the only chance for their sanity." He looked at me with perfect amazement and said, "You would not recommend that, would you? I beg of you not to mention it to my wife for she would be shocked." "Oh, I am not going to talk this to your wife, but I want to tell you right now, that I hope the time will come when I will be permitted to use my pen and my voice in this direction for the purification and preservation of our nation."

Two years ago I called upon the Legislature through the columns of the Oregonian to enact a law to prevent propagation, through sterilization of criminals, idiots, insane and all that class of defectiveness. From the prominence given my communication by the Oregonian the subject was taken up by the Washington press and also by Eastern papers. I went to the Legislature and succeeded in getting such a bill introduced in the House, which I consider a great step in advance, and now my co-workers, I ask your assistance. Give me your counsel, go with me to Salem. Use your pens and study the subject. The press will stand behind us. The newspapers are the great educators of the people. The pen is mightier than the sword. The great dailies, the weeklies and monthlies that are sent out by the tens of thousands are the creations of the best, and deepest thoughts of great minds that have been made great by constant thought and application.

**DEATH BED MEETING IN PENITENTIARY**

**Convict Mother Bids Goodbye to Husband and Son, Also Convicts, in Prison. Mrs. Wilson, Alias Staffeback, 79 Years Old, Dies While Serving Sentence for Murder—Was a Noted Criminal**

(Oregonian, 1909)

Leavenworth, Kan., March 9.—Mrs. Nancy Wilson, generally known as Mrs. Staffeback, one of the most notorious women prisoners in the Kansas penitentiary, died of pneumonia today. Mrs. Staffeback was 79 years old.

Mrs. Staffeback realized her serious condition and asked that her son, George Staffeback, a lifetime convict, and Charles Wilson, her second husband, another convict, be brought to her bedside. They were taken over by the prison officials and told they could remain with her until she died.

**Seeks Death in Freedom**

George Staffeback, her son, nearly collapsed when brought to his mother's cell. He asked if something could not be done so that his mother might die outside the penitentiary. The mother, who was conscious, begged to be permitted to die outside. The prison officials told her they could do nothing.

Mrs. Staffeback was brought to the penitentiary to serve a 21-year sentence for murder in the second degree. At the same time two of her sons were brought in under life sentences, a third son to serve seven years, and Charles Wilson, her second husband, to serve 25 years.

**Family All in Prison**

One of the sons serving a life sentence died four years ago. The third son served out his sentence and it is reported that he is now serving a term in the Missouri penitentiary.

The Staffebachs lived near Galena, Kan., and were accused of numerous atrocious murders. They ran a hotel, and it was alleged that they murdered guests who had money and threw the bodies into a deserted mine. A number of skeletons were found on the premises.

The Staffebachs are generally ranked next to the Benders in the list of notorious Kansas murderers.

The story of the deathbed meeting in the Kansas penitentiary of mother, son and husband, all convicts, adds to the merit of Dr. Owens-Adair's sterilization law, with the proviso that the law should know no sex.

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(Oregonian, 1909)

"Editor Oregonian: Perhaps Dr. Owens-Adair can tell us what is best to do with Harry Thaw."

Warrenton, Ore., August 19th, 1909.

To the Editor:

The above clipping was sent to me from North Yakima. Had I not failed to see it before, I should have replied at once; but as it seems that Harry Thaw, like the poor, is "always with us," perhaps it may not yet be too late.

The question of his sanity will, at least for some time, remain in dispute; but the most important question, to my mind, is that he should not be allowed

to reproduce himself. We have enough of his kind, and a plenty to spare. His life has shown that he is a licentious lascivious libertine. I have stated before that every well informed physician knows the intimate relation between the brain and the reproductive organs. So well is this known by the profession that many insane women have been restored to sanity by removing the ovaries. I have also referred to the fact that vicious animals can be rendered gentle and docile by excision. And I believe that, by this simple remedy Harry Thaw could be converted into harmless and decent man, and perhaps become a comfort to his mother.

DR. OWENS-ADAIR.

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### RADICAL PROGRESSIVENESS

(Oregon Statesman, 1909)

"A Bill for an Act Requiring Physicians to Take Human Life." This is the title of a bill now pending before the legislature of the State of Iowa. It is the first and most radical demonstration, in a legal way, of the theory that it is expedient, socially, and industrially, to destroy idiotic and helplessly deformed children, at birth, and malady-stricken adults and incurables later in life, that has ever been broached in this country, and its progress will be watched with tremendous interest all over the country. It took courage of rare sort to frame and introduce such a measure and it will require no less to enact it into a statute. It has an ugly sound and at first thought inspires repugnance and horror, but the reading of the bill minifies this, and engages the more tolerant interests of the mind by the wealth of argument in favor of the progress, as a legal and a merciful method of reducing the endless miseries and dreadful dependencies of life. The fact that the abnormal children are to be skillfully disposed of with the consent of the parents, and the adults with their own consent, or in default of this, with that of the nearest of kin, puts the bill on a footing of rational consideration it might lack under less thoughtful provisions, and if it should pass to the code of Iowa, an organic and actual prescription for some of the most dreadful evils of the day, and if it shall pass muster under constitutional review, it will herald the dawn of an era of wisdom long hoped for, for it will pave the way to other, and sorely needed, legislation, equally radical and equally important.

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### SAYS STERILIZATION UNSCIENTIFIC

(Oregon Journal, Nov. 3, 1909)

Portland, Nov. 2.—To the Editor of The Journal—One would like to ask a physician like Dr. W. C. Schultze, who presumably has some acquaintance with modern biological science, where he obtains his facts on which to base his support of the sterilization law.

He speaks of habitual criminals as being unfit to reproduce their kind. What does he mean by such a statement, hanging up in the air by itself as it does? Does he not know that a man may be an habitual criminal without being a congenital criminal? Has he never heard of the Weissmann theory of the germ plasm, which regards the inheritance of acquired characteristics as quite impossible and which lies at the bottom of the whole of modern biology? How would Dr. Schultze distinguish between a man who has be-

come an habitual criminal because of bad environment for which society is to blame, and one who comes of genuine criminal stock? Most habitual criminals are made, not born. That is the conclusion of sound criminologists all over the world. To sterilize the victims without paying any attention to crime producing causes, such as overcrowding in tenements, malnutrition in infants and older children, industrial oppression and injustice, unemployment, accident and sickness to the bread winner of the family with no provision for insurance, child labor, woman labor, unsanitary working conditions, low wages, too long hours, too large families, lack of education, and other factors—to propose sterilization, I say, as a remedy for crime and leave the causes untouched seems to me very much like applying the methods of quack doctors, in the domain of social reform. The futility of such pseudo reforms as sterilization when applied to crime and criminals is brought out conclusively by Alfred Russell Wallace, codiscoverer with the great Darwin of the theory of natural selection, in his new book, "Social Environment and Moral Progress." Dr. Schultze would do well to study that work by the eminent scientist.

As to sexual perverts, how often do they propagate themselves? The very nature of their practices makes the likelihood of their having offspring remote. Besides, sexual perverts, coming as they often do from parents who are themselves normal, will always exist. They are generally freaks or sports of nature, often more to be pitied than hounded like wild beasts.

It is stupid to lump all homosexuals together as this law does, when in fact there are just as wide differences among them in point of culture, intelligence, self control and decency as among other kinds of men and women.

I believe in sterilization of the feeble-minded and undoubted congenital defectives, but the present law is too loosely and unscientifically drawn to result in anything but a good deal of injustice.

DUNCAN FRASER, Ph. D.

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### REPLY TO DUNCAN FRASER

(Oregon Journal, Nov. 4, 1909)

Oregon City, Nov. 4.—To the Editor of The Journal—Duncan Fraser not only entirely missed the point of my remarks upon sterilization, but misquotes them to some extent. However, this may be due to the fact that my article had been extensively "blue penciled." The original copy cited the well known "Malthusian theory," enunciated by Malthus in 1798 in his "Principles of Population," all of which was omitted. I nowhere claimed that the sterilization act was scientific. Sir Thomas Moore's Utopia will have to be realized before we can expect this or any other subject to be scientifically treated by the average legislature. Neither did I assert that "habitual criminals are unfit to reproduce their kind." My whole and only point was that this earth was becoming rapidly overpopulated and underfed, and that mankind would be compelled at no very distant day to control and check the birth rate. A beginning must be made some place, and why not commence with "undesirable citizens," to which class those specified in the sterilization act certainly belong—"habitual criminals," moral degenerates and sexual perverts"?)

As I remarked, it was but a drop in the bucket, compared with the measures which the human race ought and some day will be compelled to adopt. We permit only the best strains of all subject animals to breed. Why not initiate the same procedure with the animal called man? Undoubtedly there are many geldings made who were perfectly fit to beget fine horses. The

Bible speaks some place of those "who were made eunuchs of men, and others who made themselves eunuchs for the kingdom of heaven's sake."

It would be a priceless boon if there were millions of eunuchs made for humanity's sake. Let us make a very small start.

It was eminently a piece of supererogation on the part of Duncan Fraser, Ph. D., to quote the "Wiessmann theory of germ plasm"—very far from being accepted by the majority of biologists—or to recommend me "to study the works of Darwin and Wallace."

I am an old man, and by no means a tyro on such and kindred subjects, as he seems to think. I took up Darwin's "Origin of Species," etc., very shortly after it was first published, in 1859, and followed it up with the works of Huxley, Schmidt, Spencer, Romanes, Tyndall, Tylor, Haeckel, and others.

DR. W. C. SCHULTZE.

I doubt if Duncan Fraser will feel especially pleased with his criticism of Dr. Shultze, who will, I think, acknowledge today that sterilization is scientific. Great changes have come since these two letters were published. The trend of thought through the demonstrations of eugenics have exploded many old theories. The searchlight of modern research has brushed off such cobwebs.

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Raymond, Wash., Jan. 2, 1909.

Dr. Owens-Adair:

I am no doctor, scientist or even well learned, I am just a plain women, but I have read every word of yours that the Oregonian has published, also everything that has been published against your theory. I have always contended that your plan is the only one that will put a stop to criminal assault on women and children, but until I read what you suggested in regard to other criminals, I had never thought of it, but now I do not see why it never has been thought of before this. My opinion I know has very little weight, but I think you are right and I hope to see it become a law, I would go still further and apply the rule to habitual drunkards, but that would raise a howl. I hope you will not be discouraged, but keep it before the people until you win out.

Yours for good laws,

MRS. BELL TRICKEY.

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205 Misner Street, Portland, Jan. 11, 1909.

Dr. Owens-Adair:

My Friend:—I thank you sincerely for your kind favor of the 5th instant, the proposed legislation was doubtless not published in full in the Oregonian, if I can be any use in any way in the matter command me. I wonder if I shall ever live to see the dawn of the blessed day, when I and all women may walk abroad in safety. There are so many tramps in California that after being dreadfully frightened once, I dared no more to walk to my neighbors about two blocks away through orange groves unless accompanied by my husband who at an appointed hour came to walk home with me. Is it not a hideous condition of affairs in a land of boasted freedom! Rape is the American crime, a distinctive American crime. We had lost children in our



country, but I never heard of rape, never. I was in the United States only a few months when I heard of the raping and murder of a young woman, a country woman of my own, and I have lived in fear, hideous fear ever since. If I had two or three copies of your bill, typewritten, I could use them. I could have copies typewritten myself but it will occasion delay as we are five miles from heart of business part of Portland.

Yours very sincerely,

MRS. A. J. CLEAVELAND.

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Independence; Kas., February 14, 1907.

Dr. Owens-Adair, M. D., Astoria, Ore.

Dear Madam:—The undersigned is a reader of the Daily Oregonian, and has read with interest of a bill said to have been prepared by you.

She has great sympathy for criminals, believing as she does in pre-natal education of children. She does not understand how human beings are to be sterilized, and addresses this letter to you for information.

Sec. 1 reads: "That all feeble-minded, epileptic, and insane persons committed to any State institution shall be sterilized, etc." Will this treatment cure epilepsy, or restore to normal action, the brain of the insane?

Very truly yours,

RACHEL A. TENNY.

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### SEES A MEDICAL TYRANNY

(Evening Telegram, Feb. 3, 1909)

Ballston, Ore., Feb. 3.—(To the Editor of the Telegram.)—This is an age of the knife and the pistol—the knife in the hands of the medicos, the pistol by believers in the "unwritten law." Henry George remarked that the indications are that we are slowly drifting back to barbarism, and the passage of the sterilization bill by an Oregon Senate is one of the signs. The medical fraternity has of late developed such an appetite for carving living human bodies that they now seek by law for further opportunity to glut this craving. Carlyle asserted that the English people were "mostly fools," and this great American people seem to be piling up facts to prove that they belong in the same category. The church has lost its authoritative grip on society, but we are allowing the doctors to become our masters. Does any one of the sane 10 Senators who voted against the bill believe that we can afford to put such a power in the hands of the doctors? "Insane persons and idiots"—truly one must assume that the 20 Senators voting for this bill should be the first ones to be operated on under its provisions if it becomes a law. And who can tell what the unfortunates immured in state institutions, away from outside aid, may have to undergo at the hands of irresponsible man-carvers? In Lee's history of the Mormon movement there are tales of a butcher-knife and a gag that give one the creeps; and a fraternity that carves and bares the nerves of live rabbits and dogs is likely to have few scruples about "experimenting" on helpless prisoners with the anesthetics omitted. Also, who is safe from being declared insane when one thinks of the conflicting testimony of "experts" in cases like that of Harry Thaw?

Nor is this all. The physicians' graft once established by the passage of the Cole bill, the next demand will be for the sterilization of those whom

some incompetent doctor has declared unfit for marriage. One would think that the most fanatical heredity crank would hardly dare assert that the crop of criminals and insane would be sufficiently lessened by such measures for the people to pay such a price in loss of personal rights. For the crop of convicts and criminally insane does not by any means depend on criminal parentage, but is more often derived from smug and conventionally respectable fathers and mothers. Alfred Russel Wallace in the *Arena* once cited a long list of eminent men who apparently derived none of their talents and virtues from hereditary—their parentage promising nothing in the way of such results.

All honor to the *Woman's Viewpoint* editor of the *Telegram* for daring to stand almost alone in opposition to the infamous sterilization bill.

WALLACE YATES.

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(Evening *Telegram*, Feb. 9, 1909)

State House, February 9, 1909.

Editor *Telegram*:—Once more I ask space to reply to Walker Yates, who attacks me most furiously, including the medical profession and making a target of the 20 senators who voted for my bill, a half column of verbiage is used to show what a vile set we are. Really after reading that vicious attack I drew a long breath and felt like I had escaped from the fiery furnace of his Satanic Majesty. Now my friend, this kind of verbosity is not argument, and I advise you and your co-worker, Miss Baldwin, to get down to business, if you are in earnest, get out and do something, give your time and money as I am doing, if you really wish to benefit the classes in question. When I came here a month ago I found few in favor of this bill, simply because it was a new departure, which required thought and consideration. I am here to explain, as best I can, the great benefits that must come through this benign remedy. That there has been earnest and sincere thought on this subject has been shown by the senate vote of two to one. I have no harsh epithets or unkind feelings for the 10 senators who did not vote for my bill. I give them credit for voting conscientiously as every honorable person should do. I believe in the old adage "Evil is to him that evil thinketh." The principal objection to this bill has been the fear that it may be abused. I cannot see how that could happen as the boards of examiners and managers of such institutions are made up, as a rule, of men and women who have spent years in human work and are competent judges. They may not all be doctors, and if they were they would be human doctors and not "blood thirsty villains." That is simply gross and malicious slander. Our country is waking up to the realization that something must be done for our future posterity if our nation is to perpetuate. It is the full time that the child is heard. Thank God Indiana heard that pitiable cry two years ago and Oregon will, I believe, in the next few days follow in her wise footsteps and give us a law that will begin the purification of the great turbulent rivers of life, by cutting off some of the contaminating and vicious inflows. Now Mr. Yates, to prevent the recurrence of another like spasm I will prescribe a soothing lotion for your super-sentimentality (for this much abused class), by informing you that the operation of sterilization does not necessitate pain or loss of blood, and the subject can return to work in five minutes and not realize that he has lost anything and indeed he has not for his loss will prove to be his everlasting gain, so you see that your sympathy and that of your co-worker has been lost. Sterilization is a science of recent discovery and will prove to be one of the greatest blessings to humanity.

(Oregonian, 1909)

"In his name and his picture, Mike Nichatich gives evidence of being one of those undesirable citizens who drift into this country from foreign lands simply because our lax immigration laws do not stop them at the gate. The record of Nichatich is a bad one, and he has apparently been a criminal charge of the United States for the greater part of the time he has spent in the country. We breed criminals in this country, and will probably continue to do so, until Mrs. Dr. Owens-Adair succeeds in getting her sterilization law on the books. We are also obliged at vast expense to take care of criminals whose breeding had but little to do with the instincts they developed later. Thus, starting with a fairly heavy criminal handicap of our own making, it becomes all the more necessary that we should shut out as many as possible of the foreign element that comes here with the impression that crime is more free from penalty here than at is in the land that was better for their leaving it."

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Warrenton, Ore., Oct. 28.—(To the Editor)—I am gratified to see the plain and sensible manner in which The Oregonian discusses the case of Mike Nichatich, the man who escaped recently from the Oregon penitentiary.

When the Oregonian says, "We breed criminals in this country, and will probably continue to do so until Mrs. Dr. Owens-Adair succeeds in getting her sterilization law on the books," it speaks to the point most emphatically. I am thankful—yes, far more than I can express—for the support given me through the columns of The Oregonian, knowing well that thousands upon thousands turn daily to its columns for guidance. It is the newspapers and periodicals that educate the masses, and through which our government is controlled. Yes, it is lamentable that our immigration laws are so lax, allowing so many worthless persons to prey upon us, bringing only discord and dissension. But when my bill becomes a law, which it will, all such parasites as Mike Nichatich will find homes outside of Oregon.

Perhaps ex-Governor Chamberlain may never know the great wrong he did when he vetoed my bill, thereby continuing protection to criminal classes. Oregon honored him by placing the great power of the veto in his hands, and he used that power against the votes of 20 Senators and 55 Representatives, who had thought, discussed and reasoned upon the great question among and with themselves—and every man voted his conviction. Nothing is truer than this—that thought gives birth to the act. Thought is the great character-builder, both of the individual and the nation, either for good or for bad. The trend of thought today is in the right direction, and it behooves us to cultivate the good and crush the evil.

Last winter one of the inmates of the Oregon penitentiary said that he would shoot me as soon as he completed his last two years' detention there, and that 50 others had made a like pledge. That threat has never caused me the loss of any sleep, neither am I expecting a bullet. But should a stray bullet find me I shall have the extreme satisfaction of knowing that the law will be enforced, and that I have not lived my life in vain. Next year I expect to see my bill a law, both in Oregon and Washington. I know that the women all over these two great states, as well as the pure-minded men, are in favor of the measure.

DR. OWENS-ADAIR.

## A PERTINENT EXAMPLE

(Oregonian, 1909)

The man John Branton, who failing to effect his escape from the penitentiary at Salem recently, took his own life in a most savage manner, was a degenerate of the most helpless and dangerous type. A man whose tendencies were toward lawlessness, avarice and savagery, he was serving a term of ten years, nearly half of which had expired, for assault with intent to kill. Of his three wives two died under suspicious circumstances, their lives having been insured for a few hundred dollars in his favor. His brother, Claude Branton, was hanged at Eugene, a few years ago, the murder of which he was convicted having been committed under exceptionally brutal circumstances. These two men, known in earlier life as "Branton boys," cost the tax-payers of Lane county dearly in court expenses, the state at least one worthy citizen and the community some scandal and great unrest. This is the debit side of their life record; the credit side is practically without entry.

It were easy to preach a sermon with these lives as the text, but it is useless, since in a general way the relation of cause to effect in such cases is well understood—understood, but for all practical or remedial purposes ignored. Criminologists of the state of New York some years ago traced the descendants of a reckless and abandoned young woman through three generations, and found that among these descendants were or had been many of the most desperate criminals of the long period covered, including a number of murderers, robbers, burglars and a small army of criminals of the lower class—men and women, who were at war all along the line with the decencies and wholesome conventions of society. The effort was undertaken for the purpose of showing that it is easier and vastly wiser and cheaper to deal with the question of the multiplication of criminals by preventive than by remedial measures. The first process can be made absolute while the last is at best but a series of costly experiments.

The subject is one from the contemplation of which society naturally shrinks, but with the consequences of which it is constantly brought face to face in the courts, through the newspapers, in the jails and penitentiaries, in the insane asylums and not infrequently at the gallows. Yet as long as it is shunned, we must continue to imprison, if we do not hang, our Traceys and Brantons and the increasing horde of criminals of whatever name who are in revolt against the social order under which human life is held sacred and property safe.

## DR. OWENS-ADAIR FIGHTS HER CASE

Replies to Attack and Gives List of Doctors Indorsing Her Bill

(Evening Telegram, Dec. 28, 1909)

Warrenton, Ore., Dec. 28.—(To the Editor of The Telegram)—Will you give me space to reply briefly to Eleanor Baldwin, who has devoted a full column of sarcastic ridicule of me in a recent issue of your paper. She starts out with "Mrs. Owens-Adair, a woman of unusual force of character." She calls me "the doughty little Dr. Owens-Adair," says that if she belonged to the parliament of eugenics she would demand my extinction; that I belong to the only dangerous class that never seeks to discover the cause of evils, but

contents themselves by whacking at the effects. Now, this kind of ironical sarcasm does not affect my sensitive nature in the least. That time has passed. Neither does it deter me from pursuing the course which to my mind is the best for the good of humanity. I am always ready and willing to meet an opponent to discuss a question in a respectable way, but I never throw dirt, for that is not argument. Consider this dispatch from Chicago:

"December 16, 1908.—Insanity grows three times as fast in proportion as the increase in population in the United States." Now, Eleanor Baldwin, what remedy have you to offer for this state of affairs? Just take your pencil and compare this ratio and then tell us where it will land us 50 years hence if this malady is not checked. Now give us your plan and show us how and why it should succeed. I am always open to conviction and require only proof to acknowledge my mistakes. I would gently suggest, my lady, that you go to the farm and there learn what this simple and benign remedy is doing and has done for the wild, the vicious and uncontrollable animals for centuries. Then go to the fountainhead of the medical science and learn there how thousands of helpless mothers who, with a taint of insanity in their blood, have been snatched from that terrible condition (insanity), far worse than death, by this safe and harmless process. Then give us facts and not theories. We want the truth, for the truth will stand and hurts no one. And I will repeat again that every well-informed physician knows the intimate relation of the brain with the reproductive organs, and they are and will support this bill, which is meant to be a remedy, but not a "cure all." I append my proposed bill with the editorial introduction by a man with a clear head and executive ability.

DR. OWENS-ADAIR.

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## BILL MADE EFFECTIVE—STERILIZATION MEASURE IS RUINED IN COMMITTEE

Made to Apply Only to Classes Which Could Have No Need of Heroic Treatment Proposed

(Oregonian, Jan. 28, 1909)

State Capitol, Salem, Jan. 28.—(Special)—The Senate committee on penal institutions has amended Dr. Owens-Adair's sterilization bill to such an extent as to make it of no practical value whatever.

The bill was designed to authorize the sterilization of the criminal insane, and confine criminals so that the transmission of insanity and criminal tendencies shall be restricted.

The committee on penal institutions obtains the adoption of an amendment which provides that sterilization shall be resorted to only in case of insane persons whose mental condition will probably not improve and in the case of rapists and other criminals serving a third term in the penitentiary.

As amended, the bill applies to very few criminals, for the number who go to the penitentiary a third time is exceedingly small.

So far as the insane are concerned, the bill is now equally ineffective. Those persons whose mental condition cannot be improved will not be discharged from the asylum. Those who may improve but who cannot be entirely cured, are the ones discharged and they are the ones who may transmit insanity to their descendants.

## DR. ADAIR SATISFIED WITH AMENDMENT

Her Famous Bill Passes the Senate and is Now Before the House

(Morning Astorian, 1909)

The following cheerful letter has just been received from Dr. B. Owens-Adair, of this county, with regard to her bill, now one of the famous provisions before the Oregon Legislature.

It is a substitute for her original measure, and to the casual reader seems to have been shorn of all its essential strength; but if the good doctor is satisfied with this, as an "opening wedge" as she calls it, then no one else may justly complain of it. It is Senate substitute bill No. 68, and is now before the House of Representatives. Her letter is as follows:

"Salem, Ore., February 1, 1909.

"Editor Astorian:

"With great pleasure I now send you a copy of my bill which has just passed the Senate by two-thirds majority. I cannot express my great satisfaction for this victory, and I have fine hope of success in the House. One of the members of the House said: 'I hope we may pass it with at least 48 votes.'"

"This is a substitute for my first bill, at my own request, for I found that it would be impossible to pass the first bill. The Oregonian says the committee spoiled the bill by amending it. But there is a great deal in this bill, and it will be an opening wedge for many improvements, if it becomes a law. I shall stay here till I know the fate of the bill; then off to Olympia.

"I visited the O. A. College last Saturday with the members of the Legislature. Which confirms the opinion which I have had for many years that is, that an agricultural college is of far more worth to any State, than a university.

"DR. OWENS-ADAIR."

## STANDING BY HER BILL AT STATE CAPITOL

Dr. Adair Making a Winning Fight for Her Measure

(Morning Astorian, 1909)

Dr. B. Owens-Adair of this city and county, is still standing steadfastly by her bill for the sterilization of criminals and perverts. The matter is well past the stage of coarse jests and is making friends right and left, upon its inherent and intrinsic merits:

Salem, Ore., February 9, 1909.

"Editor Astorian:

"Here I am ready to report progress. For I know that many of my friends are anxiously looking to the Daily Astorian for news of my 'famous bill.' It is now in the hands of the penal and reformatory committee and I am expecting to be called before them this evening. And I hope I shall be able to flash the good news to the Astorian. I am very anxious to leave for Olympia but I will not go as long as there is a hope of securing more votes. If all vote for the bill that have promised, then it will go to the Governor, and he is in favor of the bill. For two of the committee have promised to report favorably. The free discussion of this subject seems to be favorable and the great majority

favor the bill. A gentleman came to me, saying, "I should like to ask you a few questions," he said, 'I never heard or thought of the subject till I heard you talking in the Statesman office, but I have heard hundreds of men talking of it since, and they all say it's a good bill.' I am happy to know that this measure has passed the stage of coarse jests and silly laughter. It has reached a higher plane and thousands are beginning to realize the far-reaching benefits to humanity that may be derived through this simpler remedy which is fraught with no danger whatever.—Astorian.

Mrs. Owens-Adair is before the legislature advocating the most radical measure looking to decrease of crime in the future. It is several years since the use of the surgeon's knife was timidly suggested by scientists and criminologists, but now an educated, cultured woman of Oregon stands forth as a positive advocate of the proposition. There are many arguments in its favor and the next ten years will see it in operation in many states.

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### DR. OWENS-ADAIR HAS NEW BILL TO OFFER

#### NOTED PHYSICIAN IS HERE TO PRESS MEASURE TO PREVENT PRO-CREATION OF INSANE

**She Will Ask That Indiana Statute, Which Has Been in Force for Two Years,  
Be Substituted for One Originally Offered and Now in Hands of  
Committee—Initiative Next Step**

(Oregon Statesman, 1909)

Dr. Owens-Adair of Sunnyside, Oregon, is in the city in the interests of her bill to sterilize the criminal insane and other unfortunates and believes that the revised bill she has under consideration will pass the legislature almost unanimously. Some time ago the doctor had drafted a bill including the hopelessly insane, the convicts in the state penitentiary serving two or more terms and other unfortunates. The new bill, however, leaves out the penitentiary and will apply only to the certain classes of inmates at the asylum and homes for the feeble minded. Dr. Owens-Adair learned a few days ago that a bill of this kind had been in force in Indiana for some time and is giving excellent satisfaction, not only to the State officials and the public but even to the inmates and their families. She immediately set about to secure a copy of the measure and only succeeded in doing so yesterday. The doctor will ask that the Indiana bill be substituted for the one now in the hands of a committee and this no doubt will be done and it is believed the bill will pass.

The Indiana bill became a law two years ago, at the same time that Mrs. Owens-Adair was in Salem trying to have a measure of this kind passed. She states that if she fails this time the next step will be to refer the bill to the people under the initiative and referendum. She believes, however, that the bill will become a law at this session without much difficulty.

The doctor is seeking also to have a similar measure passed in the state of Washington and will leave here in a few days for Olympia.

Dr. Owens-Adair was for many years an ardent advocate of Prohibition and is known throughout Oregon and other coast states, having traveled extensively on lecturing tours and for the purpose of putting her charitable and reform ideas into effect.

### CRIMINAL PROCREATION

Senate Bill No. 68 for the prevention of procreation in confirmed criminals, insane persons, idiots, imbeciles and rapists passed the senate Monday by a vote of two to one. This is a measure long neglected but strictly in the interests of humanity.

It is not a question affecting only the unfortunates mentioned in the act, but the objection is to reduce the number of criminals, insane, etc. Morally, every child has a right to be well born and any measure looking to this end is justifiable and right.

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### STERILIZATION BILL

To Come Up Tomorrow for Trial Passage in Oregon House

(Morning Astorian, 1909)

"Salem, Ore., February 12, 1909.

"Editor Astorian:

"My bill was adopted and placed on file by the House last night at 9 o'clock, having passed the committee on medicine and pharmacy by a unanimous vote; and I hope to hear it called up for vote as early as Monday. My hopes are high that I will win. Two of the best speakers in the House are friends to the bill, "The Little Giant," and a big man with a big heart. I am working hard for a two-thirds majority. It is simply wonderful the change of feeling that has come over the people in regard to this bill. A hotelkeeper said to me last night, "The people sit around the fire morning, noon and night, talking about this bill, and at least 80 per cent are in favor of it."

"Illinois is now fighting for such a law. The application of this remedy for both men and women is simple and of recent discovery. And like the wireless telegraph it will revolutionize society by becoming a wonderful purifier of the great turbulent river of life by cutting off the vicious sewers of sin, disease and ignorance. It will prove a "balm of gilead" to those poor unfortunate classes who will in time learn to seek the remedy and bless the giver.

"DR. OWENS-ADAIR."

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### DOCTOR REBUKES DOCTOR

(Oregon Journal, 1913)

Portland, Nov. 1.—To the Editor of The Journal.—I notice in your issue of yesterday what a doctor says about the sterilization law, to be voted upon next Tuesday. I desire to say in comment that in this day of Christian civilization no man, and especially no doctor, ought to prescribe a remedy for anything that he is not willing to apply in his own case. Is the doctor prepared to take his own medicine? Is he willing to have others to do to him as he wants to do to others? No one is so much to be feared among men as the moral monster—one devoted to human sympathy and wanting in respect for the work of the Infinite Hand, and if sterilization is to be practiced it may be adjudged proper to begin with the people who are morally off their balance,



and who should have lived in the dark ages of thumb-screws and physical torture. These belated people are the most dangerous specimens of the human family now at large. A petty thief is harmless in comparison. A petty thief may have a good heart, and the elements of a good man, in him, but one devoid of kindness and sympathy and toleration is almost hopeless. At least, he undoubtedly stands at the foot of the class, and sadly needs the kindness and sympathy he denies to others.

#### ANOTHER DOCTOR.

I have no hesitancy in replying to any person with a backbone—one not afraid to show his name. I despise a coward. This recalls the old school reader of seventy years ago: "Slander is a long, green, slimy monster, to be feared when seen." Truly, well defined.

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#### DR. OWENS-ADAIR TELLS OF FUTURE BENEFITS

(Astoria Budget, 1913)

Among the letters received by Dr. Owens-Adair, author of the Oregon sterilization bill, which passed at the last session of the legislature, were several from various parts of the country that illustrate the interest that is being taken in the final adoption of the new order, notwithstanding the opposition that is being centered against it in Oregon.

One particular letter is from the pen of Frank L. Moore, a prominent lawyer of Moscow, Idaho. Mr. Moore says:

"I am not a physician, but I have been interested some years in the subject published on 'State Sterilization.' For some years past our magazines have been filled with articles such as 'The Black Menace,' 'The White Man's Burden,' 'The South,' and the like, all treating on the race question, or the race conflict between the whites and the blacks, and especially of conditions south of the Mason and Dixon's line. Something should be done to relieve the situation for the mentally defective which the Oregon law provides.

"Anyone familiar with the conditions in the South, and especially one from the North, must admit that they are anything but satisfactory, particularly in the field of manual labor. The territory known as the 'black belt,' or the old confederate states, is the most productive section of our country, and is likewise the most responsive to manual labor, but the conditions are such at present, that the native born white man will not do the work which has been assigned to the black man for so long, and if the northern man, with limited means, goes south and undertakes to build a home for himself and family, he is met, with not only the contempt of the white man, but of the negro as well, and can readily see how the suggestions you make in support of the Oregon law, might be carried into effect to replace the black man with the white. I write to you to suggest, or rather ask you if it is not time to present the matter to the public, and if in your mind, the black race is not at this time, a greater menace to the whites of the country than the mentally defective.

"Of course, I understand that the white man of the south has thought for so long a time that manual labor is degrading, that he might not be susceptible to such teachings. If you have the time, would you please give me your views on the matter."

*Given to me by Mr. Owens-Adair*

**Dr. Owens-Adair Replies**

"Allow me to thank you for the letter which I surely appreciate. Your views are like my own. I have said many times, but not in public, that the propagation of the negro must be cut off for the preservation of the south. Our nation cannot exist another century if the black race, the insane and the feeble minded, are permitted to propagate to their own sweet will, for their productive powers are far greater than those of the higher types. Sterilization is the only sane and certain remedy. It is harmless and humane to the male and female alike. The operation is simple and reduces only the power of reproduction. If our glorious nation is to be perpetuated, insanity, feeble mindedness and the inferior races must not be allowed to reproduce themselves through marriage and otherwise throughout their natural lives. Every child has a right to be well born. Yes, I think the time has come for discussion and for action along these lines.

"In 1909 I published several thousand pamphlets on sterilization for free distribution. I wish I were able to present a new edition, for this has set the people to thinking, and there has been so many good arguments in favor of sterilization that ought to be compiled and brought before the public."

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**STERILIZATION IS OPPOSED—INSANE PATIENTS REPLY TO DR. OWENS-ADAIR**

**One Says Flagrant Ignorance and Fanatical Rage Permeate Her Utterance on the Subject**

(Oregonian, Dec. 23, 1913)

Salem, Ore., Dec. 23.—(Special.)—Dr. Owens-Adair, of Warrenton, Ore., who has been conducting a campaign for several years in behalf of the enactment of a law for the sterilization of the criminal insane, has at least two earnest opponents in the criminal ward at the State Insane Asylum. In fact, she has more than two, for since the appearance of her communication in The Oregonian of December 12 the inmates of that ward have been very much wrought up over the subject she has brought to the attention of the Oregon Legislature. Two inmates of the ward have undertaken to express their own views, and, presumably, those of their fellows, and they have done this in letters written to Dr. A. E. Tamase, physician in charge of the ward in which they live. Each of them writes a good hand, uses good language and is evidently of more than ordinary intelligence, aside from the mental infirmity indicated by confinement in the institution.

Charles O. Engelke opens his letter by taking Dr. Owens-Adair to task for referring to the "common people." He deprecates this effort to make class distinction as un-American.

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**A CHILD'S RIGHT TO BE "WELL BORN"**

(Oregonian, Dec. 29, 1913)

Warrenton, Ore., Dec. 29.—(To the Editor.)—It seems that I have stirred up a hornet's nest in the criminal insane wards at Salem. I suppose the next

bugle note will come from the penitentiary. Who those two worthies are I know not, but one thing I know, that is, that I am contributing to their support, to their daily bread, while they are living in idleness. "From the sweat of thy brow shalt thou earn thy bread," does not belong to their "class" and this enforced taxation is a great argument in favor of my proposed law.

Once a poor parishoner went to his minister begging for help for his poor, sick wife and ten scrofulous children. The minister said, "Yes help him, brethern, help him by all means, but with the distinct understanding that he shall not increase his miserable family." Now like the sensible and benevolent minister, we are willing to care for this unfortunate class throughout their lives and then give them a Christian burial, but we object to the increase.

These criminal correspondents have brought out two points worthy of notice; the term "Common people." Who are the common people? Their name is legion. Christ, the carpenter's son, born of the Virgin Mary, had not where to lay his head. Abraham Lincoln, one of the world's greatest benefactors, too poor to afford a candle, studied by the light of a pine torch or a lighted rag in a cup of grease; the emigrants who toiled across the trackless plains, over mountains and through deserts amid the scorching sun and the storms of snow and ice, ragged and footsore but never flinching. These were the common people who gave this state to the Union and added one more star to our Nation's flag. I am proud to belong to that "class."

Second: Yes, I repeat a child has a right to be "well born." It matters not whether it is born in a hut or palace, if its parents are intelligent, industrious and honest, whose blood is free from objectionable hereditary taints, that child will be well born and its life will be a blessing to humanity. But if it is brought into the world by vicious, depraved and diseased parents then its life will be a blight to humanity. And again I repeat that the time has come that a remedy must be found to stop this increase. And I believe that the medical profession will stand by me. Every doctor in this country has signed my petition, save one, and he is a Finn from Finland.

DR. OWENS-ADAIR.

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## OPPOSES STERILIZATION LAW

(Oregon Journal, Feb. 24, 1913)

Portland, Feb. 24.—To the Editor of The Journal—The state of Oregon, one of the most resourceful in the union, is endeavoring to increase its population, but can we ever do so by passing laws which belong more to the middle ages, when they used to put out eyes and cut off noses? One of the laws referred to is the sterilization law. In the first place, it is unconstitutional and will very probably be pigeon holed, but it does not show a broad minded or modern spirit. I have often listened to honest harangues from self confessed criminals on street corners, whose beautiful and holy daughters were beating tambourines and trying to save souls. What if this ungodly law were in vogue when they were sinners? The fathers of our country were away ahead of their times when they declared against any cruel or unusual punishment. No wonder there are soap box orators and we will have more and more just as long as we do not keep up with the times. It was Shakespeare's own thought, probably, when he put the following words in Portia's mouth in the Merchant of Venice:

"The quality of mercy is not strained.  
It droppeth as the gentle dew from heaven,  
It is twice blessed;  
It blesseth him who gives and him who takes."  
Let us be human and civilized and not fanatics.

F. G. BUTTERLY.

### HOSTILE TO STERILIZATION

(Oregon Journal, Oct. 30, 1913)

Beaverton, Ore., Oct. 30.—To the Editor of The Journal—The article published in The Journal of October 22, entitled "Opposition to Sterilization," meets my hearty approval. I cannot see how any well meaning man or woman can think otherwise. To mutilate the bodies of poor, unfortunate people confined in either the state asylum or the penitentiary, and to give this power to one individual, so to speak, is little less than diabolical. To pass such a law is a disgrace to the state and a disgrace to both the legislature and the woman who introduced and advocated it. I am surprised that the people of Oregon will tolerate such a measure, and I heartily indorse the action taken by Mr. U'Ren, Mr. Wood and others, as published in The Journal of October 24. No reform can ever be effected by the introduction of such methods of punishment as this bill carries with it. We abolished witchcraft as a crime years ago. The Spanish inquisition was torn to pieces. Yet we, in this twentieth century, who call ourselves Christians, are trying to put a law into effect which is equally criminal, equally unjust.

There is no record in history to show that sterilization ever existed in any other country as a state law. All rulers in ancient times had their slaves, their eunuchs, but I fail to find any law either among the Romans, Egyptians or other ancient powers that equals such utter rot, such nonsense, and at the same time such inhuman brutality as this sterilization bill carries.

I am inclined to think there are not a few people who look upon this measure the same as I do, and which fact will be demonstrated at the polls November 4.

S. C. BOWLES.

A profound thinker! His profundity is past knowing. Read his dilation on the sterilization of the bodies of the poor unfortunate people confined in the asylum and the penitentiary. He scores the legislators and the woman (myself). He says "all ancient rulers had their slaves and their eunuchs but nothing equals such utter rot as this." He rants about sterilization which is the most benign remedy discovered by man. Mr. Bowles might require a microscope glass to find the scar left after the operation. Dr. Haiselden of Chicago fame said the operation on a man was so slight that it was not worth the name of operation. I would ask Mr. Bowles, what constitutes eunuchs? I am thankful to Mr. Bowles for this contribution. It will help the cause along. Discussion on both sides is what we want.

## STERILIZATION LAW DENOUNCED

It Harks Back to Dark Ages, Says N. H. Bloomfield

(Oregonian, Oct. 26, 1913)

Portland, Oct. 26.—(To the Editor)—I heartily agree with Judge Munly and others in their opposition to the "sterilization law" in a letter recently published in The Oregonian and I concur also with Colonel Wood in characterizing it as "an engine of tyranny and oppression," and that "it is rot." Yes, it is worse than that, it is tom-fool-tommy-rot.

I wonder that it cannot be beat into the heads of some people that the constitution of the United States and all constitutions forbid "cruel and unusual punishments." Such an act would undoubtedly be held unconstitutional by the Supreme Court of Oregon and by the Supreme Court of the United States, by every court in fact, influenced by the promptings of our Christian age and civilization.

Such an act harks back to the time in England, when there were over 260 offenses punishable by death and when the character of cruel and unusual punishments prevailed, against which our National Constitution was a protest.

It harks back to the Spanish inquisition—the dark ages—and the age of barbarism. I deny the right of society, in sight of heaven, so to ordain. Even though we might confess its right, in time of peace, to take life for the crime of murder, yet we would deny the right of society to mutilate and leave the victim alive to suffer the consequences of such cruelty. The measure is no more lawful than would be one that would cut off an arm, an ear, or pluck out the eye, or slit the prisoner's nose or brand him on the cheek or forehead with a red-hot iron, with the word "insane" or the word "criminal."

I confess to a degree of impatience, reaching almost contempt, and a feeling of outrage, for such an infamous measure as the "sterilization law."

N. H. BLOOMFIELD.

No one today can read this harangue without feeling sorry for the writer.

Sterilization is the most humane remedy ever discovered by man for the protection of the degenerate himself. It takes nothing from his body, would require no loss of appetite, health or vigor. The operation has been done for men in five minutes without pain or loss of one drop of blood. Now, my deluded friend, just lay aside your slang expressions, such as "tommy-rot," etc. I would advise you and all of your committee and friends to get up a picnic and go to the feeble-minded institution. Dr. Smith will take pleasure in showing you around. I suggest that you eat your lunch and give it time to digest or you might lose your appetite, and I fancy the dose you get will have a good effect.

## INSANITY AND CITY LIFE

(Oregonian, June 27, 1914)

We are told by the learned savants who attended a meeting of the Eugenics Research Association at Columbia University that insanity is alarmingly on the increase. The rate, in the past forty years, is shown to have leaped from 86.5 per cent to 232 per 100,000 of population. The deduction is drawn that the country is rushing into madness and that in due course of time, unless something is done, we shall all be making grimaces from behind padded bars, guarded, no doubt, by keepers imported from primitive lands. The rush and crush, and wild abuses of American city life are held largely to blame and the need of doing something in the way of applying a remedy is held urgent.

The figures are imposing and there is no doubt but that something should be done. Moreover, the subject is one that may be taken up with profit by the eugenicists, for, as a rule, the man who loses his mind has natural defects that grow into madness under the stress of living. The rush of city life naturally plays havoc with a person predisposed to mental or nervous weakness. Irritations multiply, he is not equipped with the powers of resistance, and his mind gives way, particularly if he indulges in excesses.

But the strife and competition of the cities must not be given too much blame. These latest alienist-alarmists neglect to analyze the character of our madhouse population. It is a fact that farmers' wives among women and laborers among men supply a major portion of the world's insane. The deduction from this is that lonely environment may be quite as destructive to the mind as the whirl of the city. Apparently a mental breakdown may come to a climax in the quietude of the country as well as in the clamor of the metropolis.

Ignorance must join hands with excesses in claiming the blame for increased insanity. As the alienists charge, there is a direct relationship between the insanity rate and the number of low-class immigrants admitted to the country. There is also a direct relationship between the liquor and drug use of the country and the insanity rate. Whatever tends to give to the world children whose power of bodily resistance has been lowered tends to help fill our madhouses. Surely the bustle of the American city need not have this effect, for it is possible to make the best of adjustments in the city and an enormous amount of mental work need not necessarily prove stressful.

The city man who frets and fumes constantly at his work and does not get proper rest and relaxation may be taking first steps toward the asylum, a journey his progeny may complete. But the same thing may be said of the man in the country. Admitting what the alienists say about the responsibility of liquor, tobacco and drugs, we shall not grow unduly alarmed about city life, with its high tensions, until the figures are altered to show that the cities have a greater monopoly on supplying the madhouses.

## STERILIZATION VS. PESTILENCE

(Oregon Journal, Dec. 1, 1914)

Portland, Dec. 1.—To the Editor of The Journal—It must be that at present a majority of those in the state who exercise the right of suffrage are either only half informed or not informed at all as to the real operation

contemplated in the sterilization act passed by our last legislature. I judge the person writing in your issue of November 29 to belong to one or the other of these classes. But it surely is to be a law in Oregon at no very distant day, for it is not the character of Oregon people to cherish ignorance and prejudice on such vital matters, nor will they cling to the added sentiment that has so thickly surrounded the subject. It may be known that it is as much of a kindness to carry out the provisions of this act on the individual as would be the curing of an aching tooth. The writer would make the plea that before a person claiming to have a spark of pity for the thousands of helpless infants brought into the world physically damned—destined to a life of suffering—and who would lift a finger to prevent such a curse prevailing, opposes this truly humanitarian movement, he takes steps to become really acquainted with the subject and the actual nature of the so called "operation." Should blind prejudice and unworthy sentiment be set aside and this be done the opposition would quickly pass away.

Every one may know that all the mere examinations in the world and the cutting off of marriage licenses would not stop the crime. And the "reproach and disgrace" is upon a community holding such "barbarous" sentiments as to prefer the horrors of a poisoned humanity to the merciful curbing of the liberty of lust on the part of moral and physical pestilence breeders.

CHARLES FITCH.

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### UPHOLDS STERILIZATION LAW

(Oregon Journal, Oct. 31, 1914)

Portland, Oct. 31.—To the Editor of The Journal—Opposition to the sterilization bill on the ground of its possible abuse or of its not being enforced against the rich as well as the poor, would, carried out logically, mean opposition to all laws against crime. So long as lawyers have no higher conception of their calling than to get a fat fee, and judges and even jurymen can be influenced by the ring of gold, the rich will always fare better than the poor.

As I understand it, this law is not aimed at the ordinary immoral person, not even the seducer or habitue of evil places, though it might mean much good to the race in general if it were, but at those abnormal degenerates whose presence is a menace to the innocent and helpless. To the subjects themselves, the law would be a most beneficent one. These victims of their own vicious lives, or mentally deranged unfits, are given their only chance for decent, harmless lives, and the community is relieved of the danger in their presence among their own kind. If they became reformed or converted, a great hindrance would be removed from their pathway.

Their unfitness to reproduce their kind would remain even in case of reform.

Opposers of this bill will do well to remember the case of little Barbara Holtzman, whose slayer may still be menacing innocent babes at their play. Let us also remember those families wiped out by some foul wretch and think of the man who terrorized orphans' homes in this city within the past few weeks, and of that bunch of pseudo-respectable men who besmirched the name of Portland with a vile scandal involving the ruin of many boys. All of these are still at large and capable of anything.

In view of the presence among us of such men, the hearts of mothers are constantly filled with anxiety, which can be best relieved by strong measures

used against such criminals, not merely laws to punish, but to prevent, so far as may be, these awful crimes.

MRS. C. L. P.

## ON PROPAGATING CRIMINALS

(Oregon Statesman, 1914)

Editor Statesman: To hang or not to hang criminals; to continue to breed or not to breed criminals or other undesirable citizens; these are the questions before the people of Oregon. For not all of the undesirable citizens have the goodness to go hang themselves, or to stop the transmission of their sins to future generations. Very few of the unfit will voluntarily admit that the world would be better had they never lived in it, or that conditions would be improved were they to cease to live in it. This being the case, it is up to the voter to say whether we shall abolish capital punishment and substitute a sane and humane method of abolishing and preventing crime in place of legalized murder.

From my childhood I have honestly doubted the existence of a material hell flavored with sulphur fumes through eternity as a just punishment for the sinfulness of this life, though I have at times thought when some heinous crime like that committed upon the aged Mrs. Griffith of Benton county by thenotorious Humphrey brothers that it must have been an oversight that some such hell had not been provided for such as they.

This question is one that should be prayerfully considered by each individual voter. Some of the states, I believe Nevada, has substituted compulsory suicide for hanging, which to me seems more inhuman than our legalized murder. I believe the intent of the punishment of criminals should have but one purpose—the betterment of society. To make this a better world in which to live. "May thy kingdom come on earth as it is in heaven," should be the prayer of each voter on these questions. The bewhiskered saying, that it takes all kinds of people to make a world, simply expresses a condition that has no excuse for existence in this day and age. Our forefathers should have given us a better world up to date by preventing the undesirable citizens of this generation from being born. Let us not further repeat their error. No sane person of today will deny the fact that if the world is to become better that we must eliminate the cause or source of the undesirable citizen. The only question is how? And are we willing to adopt the only means by which it can be accomplished?

We are progressing in almost everything else, why not progress in the betterment of society. The farmer uses common sense in his scientific agriculture. He prepares his ground by getting rid of all the undesirable weeds and infectious bacteria that infect the soil from some previous crop. He sees to it that all undesirable elements of the soil are rendered sterile, then he plants only the best and cleanest of seed. The result is a normal, clean crop with no undesirable element in it. A sane and prosperous stock raiser selects only the best and purest bred of his herd to be the parents of his future herds that are to be the prize winners of the stock shows. If by chance from heredity or by accident some of this offspring should not be up to the standard of perfection he promptly sterilizes the defective animal to prevent further propagation of the unfit to future generations. Then why do we continually refuse to use both common sense and scientific methods in the breeding of human beings, thus eliminating the mentally, morally and physically unfit (or



misfits) in society? Honestly now, what do you think of any sane parent who knowingly would propagate a mental, moral or physical defect of his or her own. Or permit one of their children to do so, if in their power to prevent, thus inflicting future generations with undesirable citizens of the criminal, insane or indigent variety? Every child has an inalienable right to be well born, or not to be born at all. A parent who knowingly and willingly becomes a party to the production of a mental, moral or physical derelict of a future generation has the greatest of all sins to answer for.

These are questions of prevention rather than cure. It is time we were waking to the fact that we owe a duty to humanity in showing our willingness to progress on this most important subject for the betterment of the human race. Let us no longer continue the propagation of the unfit to curse future generations. Let us commence now to purify and not further contaminate the source of good citizenship.

Let us prohibit the duplication of Max Jukes as an example. Max Jukes, born in 1720, had 1200 lineal descendants identified. Three hundred died in the poor house; 300 died in childhood; 440 were viciously diseased; four hundred were physical wrecks; fifty were notorious prostitutes; seven were murderers, sixty were habitual thieves averaging twelve years in jail. This is only one example of the thousands of Max Jukes that by toleration are propagating their kind continuously. We prevent the breeding of disease carrying insects such as the house fly and the mosquito by destroying their breeding places. We can as easily prevent the greater evil that menace a perfect humanity by the harmless and humane method of sterilizing all of the Max Jukes both male and female. Let us abolish capital punishment in Oregon and substitute therefor the sterilization of all who are unfit to propagate good citizens, making the law to cover all undesirables who come into our state from any other state or from any foreign country, so that within three generations Oregon will have no use for penitentiaries, asylums or poor houses.

Yours sincerely,

W. S. MOTT.

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## THE NEED OF SEX HYGIENE

(Oregon Journal, 1914)

Dear Miss More: The woman I married was ignorant of sex hygiene, etc. Her mother was such a prude and so narrow minded that she would not teach her daughter how to take care of herself, but she would tell her risque stories instead. But, the whole matter regarding her mother is that she is one of those women who will not play cards any time nor even have them in the house, but will play any other game or sit and laugh like a Cheshire cat when her husband would tell her of beating some poor sucker in a horse trade.

I believe if people like Dr. Owens-Adair would try to get a few laws passed relating to compulsory education of prospective wives, husbands, mothers and fathers, they would all the quicker stop the growth of criminality. I say, and believe can prove, that, if a child were taught correctly and taken care of and shown the dirty spots of life instead of having such things hidden from him so the only way they discover and learn such things is from dirty conversations with more worldly children and dirty actions of such children, there would be less, much less, criminality in the world and the face of the earth would be much cleaner. The whole cause of divorce and criminals is directly due to puny puppets of prudish and ignorant parents.

E. H.

## BEFORE AND AFTER

Beaverton, Ore., March 25.—Dear Darra More—I am a constant reader of your page, and while I prefer reading to writing I cannot resist offering an objection to Mrs. H. E.'s letter entitled "Common Sense," in your issue of March 20.

She makes the statement that "if women would study the masculine mind before marriage she would be better able to understand a husband." I would be glad if she would tell me how we are to study this wonderful (?) masculine mind before marriage when that same masculine swears by all that is holy that all he lives for is to make her happy and that he cares nothing about whether she can darn socks or bake bread, that he can buy socks for 50 cents a dozen and that it is cheaper to buy bread than to make it. That he can't possibly live without a kiss every five minutes. Of course, wives do not expect him to fulfill all promises, but do expect him to give evidence of sentiment a little when he leaves in the morning and again on his return in the evening.

Mrs. H. E. also says "Surely a true wife is not a support who can only subsist on petting." Most men claim that they prefer a wife who is not a prop or leaning post, but one of the clinging vine sort. My observation has been that those very clinging vines are expected to grow into sturdy oaks, but instead of oaks they become dogwood and oh, how bitter. Mrs. H. E. says that if it is not a man's nature how can he be expected to be demonstrative. These same men are often demonstrative before marriage, are they not? Why change so completely after the vows have been said? A wife should never permit herself to be dubbed "old woman" or "old lady" if she does not want to polish his shoes and burn his shaving paper. My advice to women who discover their husbands to be far from their ideals is to picture that ideal and tell the husband that he is expected to live up to it. In most instances he will endeavor to do it.

MRS. J. M.

' We can't make a normal person out of a fool. Neither can a feeble-minded school. We want to prevent them from having any more children.

## STERILIZATION IN PRACTICE

(Oregonian, 1914)

Both Indiana and New Jersey now have laws providing for the "sterilization" of certain classes of insane and defective persons and criminals who are guilty of certain abhorrent offenses. The Indiana act, which was the first of the kind in this country, was obtained largely through the efforts of medical men and its purpose was ostensibly to promote eugenics. It aimed to relieve the world of the burden of congenital criminals, insane persons and defectives by preventing them from propagating their species. When the law of evolution is left to operate without check such persons are eliminated automatically and only the fit survive, but modern humanitarianism interferes with evolution to the detriment of the race and the Indiana physicians have undertaken to reach the desired end by a painless and facile physical operation. The New Jersey law was advocated principally by the League for the Promotion of

Purity, which is not composed of physicians, but perhaps its ultimate object is the same as that of the Indiana statute.

In the year 1907 the Indiana authorities sterilized 114 men in the state reformatory. The superintendent makes a highly favorable report as to its effects. He says that it made the men docile, inclined them to religion and benefited their health. They slept exceptionally well after the operation and gained flesh. It is well known that the sterilized inmates of Turkish harems are usually rotund and amply nourished. Oxen keep fat with less feed than their unsterilized relatives require. The operation makes prison discipline so attractively easy that some temptation may develop to use it for that purpose alone. Men who are not congenital criminals and who are guilty of but slight offenses may be sterilized merely to make them amenable to the prison rules. Students of racial qualities would see in this nothing but limitless evil. We do not wish to eliminate from human kind the sturdy, militant, nay the rebellious qualities. Were the League for Purity to attain to all of its ideals it is difficult to see how mankind could be saved from extinction, though we have great confidence in the progress of invention.

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(Morning Astorian, March, 1914)

There seems to be no barrier possible against the horrible morbidity of such acts as was committed in Portland on Wednesday last in the slaughter of little Barbara Holtzman; they cannot be foreseen nor forestalled in any way; there is nothing precedent to lend even color of warning; such deeds are results of the perverted working of a single hidden mind charged with unsuspected and unconsidered evil, operating silently, exclusively, guardedly, with a deadly secrecy that obviates all chance of detection until the worst is accomplished.

Upon the face of it such crime is the outcome of insanity. No man of any balance whatever would, or could, do such a thing; it is conceivable only upon the hypothesis that the nature capable of such action, in its several degrees of monstrosity, is made so by courses that have torn down the mental equipoise and brought it to the level of the rending beast. Every vestige of the human attributes of love and appreciation of childhood, its beauty, innocence, helplessness, its always pitiful dependence, are obliterated from the mind which conceives and executes such extremes, and a mind so divested and distraught, is of the insane and no other.

There is but one way left for society to deal with such possibilities and that is to view and treat them with a cold philosophy, and colder scientific system, in which the single, natural and wholly effective play of sterilization figures first and last. Somewhere in the career of the perpetrator of this frightful crime, his propensities must have been known by his family or intimates; there must have been a time and circumstance that revealed, in part at least, the condition and impulses dominating his nature, and it was then the use of the surgical knife would have spared society the rebuking horror of this incident. We believe utterly in the doctrine of sane and timely prevention that lies at our hands for the picking up and setting apart, in the wholesome application of sterilization of those forms of humanity capable of, and likely to, produce such abnormal creatures and such hideous ends.

We must come to this remedy some day, and the longer we falter the longer, and more, shall we suffer from the evil. It is senseless to delay the day of freedom.

## STERILIZATION IS EXPLAINED

Ignorance Believed Cause for Unfavorable Vote in Oregon

(Oregonian, Jan. 13, 1914)

Portland, Jan. 13.—To the Editor.—There is practically no doubt that the so-called sterilization law, which was passed by the Legislature at its last session and which subsequently was defeated by the people through the referendum, failed to receive the indorsement of the people merely because it was not generally understood as to what "sterilization" is and does.

An experiment was performed in this city in which 100 persons, who opposed the bill, were asked what they thought "sterilization" to be. It brought out the surprising fact that all except one of the 100 individuals had a wrong conception regarding it. Inasmuch as another effort is to be made to bring this principle before the people and the Legislature, it might be well to define what sterilization really is. It is not desexualization.

Sterilization does nothing but sterilize. No glands are removed from the body, while all the functions and instincts of the body, including those peculiar to the sex, are left absolutely unchanged. The sterilized individual is not affected in any way whatever except that he is unable to reproduce himself because the male or female germs, necessary to reproduction, are unable to leave the body. If the individual did not know that he were sterilized he would be unable to detect the fact from any change in his experience as compared with that previous to sterilization.

In the male and in the female there are two little tubes—one for each side of the body—through which the germs necessary to procreation must pass after leaving the reproductive glands. Naturally, if anything closes up these tubes nothing can pass through them. Sterilization consists in tying a ligature around these tubes, or in severing them with a knife. Usually both are done, because, as the ligature absorbs, the tubes are liable to become restored. In the male it is a very simple process and can be done without pain under a local anesthetic. In the female the process is not quite so simple, because the tubes lie inside the abdomen instead of merely under the skin, as in the male. However, under the conditions surrounding modern surgery awe of the process need be no handicap to the application of the underlying principle.

These few suggestions have been offered, not with the intention of urging any line of action upon any individual, but merely that those who either favor or oppose the adoption of sterilization as a means of protecting the future from the grosser forms of sex perversion and feeble-mindedness, which are incurable and hereditary, may understand what sterilization is when they express their opinion through the ballot.

J. ALLEN GILBERT

Dr. Allen Gilbert is one of Portland's honored physicians.

## ABOUT STERILIZATION

(Oregon Statesman, 1913)

The bill for sterilization of criminals, imbeciles and others of a class is again before the legislature and should pass. It would have been the law some years ago had not Governor Chamberlain's veto prevented as the legis-

lature put it through, and up to him. Its originator, and persistent advocate, Dr. Owens-Adair, is here advocating it, and a few minutes conversation with her will convince the most skeptical that the bill is a meritorious one. She is not only a doctor but a philanthropist, and she presents the subject from both viewpoints with clearness and force. She has an array of facts of "examples" that make her arguments unanswerable, and convince you in spite of yourself.

Besides a broad view of the matter compels one to admit the correctness of the principle. In a sense "like begets like." A weak-minded, criminally inclined parent brings into the world his or her own type—brings weak-minded and prone to wrong-doing, and it is so of the criminal type.

A child born of criminal parents, not only is liable to have the hereditary criminal instinct, but per force is brought up in criminal environments. Instead of being taught to avoid crime, he is either neglected, or his education is perfected along the criminal line. It takes more than simple laws to put an end to this, and sterilization seems to be the only remedy. It is no doubt true that with this remedy in use, another generation will see the asylums with rooms to let and the prisons with vacant cells. For one thing the remedy will tend to prevent a certain class of crimes, especially those against young girls much more effectually than the fear of the penitentiary does, for this remedy is "a life sentence," the matter will be acted upon soon by the legislature and we believe will pass. It is an experiment well worth trying, and once tried we believe the law will become general. Oregon sets the pace for the world, anyhow, and here is a fine opportunity to teach another and an important lesson.

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### CRIMINOLOGIST THACHER GOES BACK OF "HOSING" TO CAUSES

**Violent Prisoners of Certain Type Require Treatment for Pathological Conditions Causing Outburst, as With Insane Patients, Not Punishment**

By George A. Thacher, of Prisoners' Aid Society.

(Oregonian, 1915)

The Oregonian's editorial comment on the trial of the two little boys, the eldest being 12 years, for the murder of their schoolteacher in Idaho contains the gist of the conclusions of modern criminologists. That is, in a few words, that persons guilty of crime should be treated according to their mental responsibility for their acts, which, of course, involves the probabilities concerning their future conduct.

The Oregonian in speaking of these children says: "For mental immaturity and moral ignorance, rather than a wanton, vicious and vengeful spirit, are responsible for this most astonishing crime."

It is easy to see the truth of this in the case of young children, but it is not so easy to see how it applies to physical adults, though one-half of one per cent of all physical adults have the minds of young children, and no one can hope for any improvement in their mental condition.

That is to say, in the city of Portland there are about 1500 persons who have the mental equipment of these little boys who killed their schoolteacher in Idaho.

### "Hosing" Case Cited

Take another illustration. In the same issue of The Oregonian containing

this sensible editorial, ex-Warden Minto tells of the conduct of two convicts in the penitentiary which secured for them the old-fashioned punishment of "hosing." Both of these men have been convicted of crime before, and one is now under conviction for an offense which requires a mental aberration in the subject before he could possibly be even tempted to commit it.

From information obtained from ex-prisoners, his companion in the "hosing" episode is the same kind of an unfortunate. That is to say, one of these prisoners is a convicted pervert known as a homosexual, and the other is probably of the same type.

This form of insanity is practically always associated with an abnormally sensitive or irritable nervous system, and its victims are sometimes hysterical and sometimes uncontrollable.

### Facts Not Generally Known

Specialists know these facts, but Mr. Minto in common with the general public, and the members of the legislature who pass the laws to punish crime, simply assume that this form of insanity is only a peculiarly repulsive crime for which stern measures are necessary.

Of course, this raises the question of what is insanity, which is supposed to be some specific mental complaint. For instance, paresis, dementia precox and paranoia are known as insanity, but sexual aberrations, unless they involve the sadistic act of killing, are not regarded by the public nor by the medical profession as sufficient grounds for confinement of the patient, except for a short period at some unusual outbreak.

That is, unless criminal conduct can be proved (when the offender is sent to prison) such individuals go at large freely, and are often very public-spirited and usually have the artistic temperament.

### Confinement Only Aggravates

Of course, only the most aggravated cases are convicted of criminal acts and are sent to the penitentiary, where naturally the surroundings are not such as to soothe the intensely irritable nervous systems of these unbalanced men.

The penitentiary is the most depressing and disturbing institution in Salem, so that for a man of the type mentioned, who as the Asiatics say, is "marked with the potter's thumb," and who has never had the temperament nor the training to acquire self-control, there is nothing remarkable in his running amuck and smashing things.

However, the question is what to do with him? Of course as the trouble is pathological neither punishment nor pleading nor solitary confinement will have much effect. As society objects to euthanasia for unfortunates, probably the only thing is to treat them when they are of this type as they treat violent patients in the hospital for the insane.

### Modern Methods Humane

In old days the insane were beaten and whipped and starved and chained in cellars or cages, but modern methods are regarded as more humane.

Of course these men were subdued after the fierce strain on their nervous systems, producing exhaustion as the result of the hosing. But, it would probably work just as well to put them forcibly in a very hot bath in a tub and keep them there under the direction of a physician as long as it was safe, and then put them in their bunks.

As a water cure, the bathtub beats the fire hose with a stream of cold water that would knock a man down unless he were chained up, and which would bruise a man black and blue.

### Cruelty Not Intended

I have no idea that Mr. Minto proposed to be unnecessarily cruel, but he had to do something, and his training as a sheriff and chief of police probably never included a study of the physical and nervous causes which impelled these men to commit the crimes for which they were imprisoned.

The Oregonian in speaking of Jesse Pomeroy, who has been in prison for nearly half a century, says: "Who will say that death in the beginning would not have been a merciful relief?"

### Public Most to Blame

Mr. Minto has been savagely criticised for ignorance in trying to control two of these unfortunates. At the same time the citizens of Oregon are infinitely more cruel and more unjust to society at large and to the next generation in providing a system of prison detention for a few years for such offenders and then turning them loose on the public to repeat their offenses.

Think what they are liable to do—nay, certain to do! And we call Mr. Minto cruel. Bah!

If ever there was a case of the collective pots calling the kettle black, this affords a good illustration of it.

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## OREGON CAN'T ESCAPE PROBLEM

### Reed College Professor will Assemble Local Feeble-Minded Statistics

(Oregonian, January 12, 1916)

(To the Editor.)—One of the most important problems we have before us today is that of the feeble-minded. There are, according to the World Almanac of 1913 and other good sources of information, 20,755 feeble-minded people in institutions in the United States. Dr. Goddard, of Vineland, N. J., has estimated that there are not less than 150,000, and possibly as many as 300,000 feeble-minded people in this country who are receiving no care whatever.

Feeble-mindedness, although incurable, may in its lesser forms be susceptible of amelioration and of modification, just in proportion as they have been superinduced by causes congenital or accidental. Feeble-mindedness is a term that has been used to designate all degrees of mental defectiveness, from the one who is merely dull and unable to learn fast to the one who is a gelatinous mass that simply lives and eats.

As I have said, there are from 150,000 to 300,000 mentally defective people in this country receiving no care. A committee on the mentally defective in New Jersey reported to the governor recently that there were 1832 feeble-minded and epileptic patients being cared for in institutions, and that 4422 cases were receiving no care whatever. Now, if Oregon has the same proportion of defectives in its population, there would be 1820 in this state.

Since the state institution for the feeble-minded cares for 255, the state asylums 41, and the Portland Defective School 18, the total being cared for is 314. This would leave 1506 who are not provided for at all.

Whatever the number may be, the problem is a sad one. And, what is more, feeble-mindedness is inherited, absolutely. Out of 480 descendants of Martin Kallikak, Jr., only 46 are known to be normal. All the rest are or were feeble-minded, or died in infancy.

The Royal Commission of England is authority for the statement that feeble-minded is increasing at twice the rate of the general population. If this is true, it behooves us to lose no time in meeting the problem. It is not only necessary that we care for the present defectives, but we must prevent defectives from being brought into society.

Oregon is yet young. It has few old settled communities. Consequently, there are probably fewer feeble-minded people here in proportion to the population than there are in the Atlantic states. But, when Oregon grows older we will have to face the same condition that the older states are now facing. Possibly the proportion here is just as large as elsewhere. What we need are the facts.

Our prisons, almshouses, asylums, reform schools and detention homes are full of people who have come from unwholesome environments. But feeble-mindedness is one of the chief causes making men hunt bad environments. Do away with feeble-mindedness and we then do away with much of the evils of society. For instance, Dr. Goddard and others, after much experimentation, have shown that 50 per cent of all prostitutes are feeble-minded. The Portland vice commission says there are 2500 prostitutes in Portland. Judge Stevenson, of the Municipal Court of Portland, is authority for the statement that the majority of these women have had children. Here we see some of the evils of society due to the feeble-mindedness of certain people.

We can combat the effects of feeble-mindedness by having proper marriage laws, segregation of defectives, sterilization, negative eugenics, etc. But what we need are the facts. Therefore, I am asking any one who reads this article and knows of any feeble-minded person or defective in the State of Oregon who is not in some institution purposively used for the feeble-minded, to communicate the facts to me at the address given below. I would like very much to have, if possible, a complete list of all mental defectives in the State of Oregon. Of course, all such information would be kept in strictest confidence. It might be well to give the name of each case so that no two cases will be duplicated. All details for each case would be of value also.

The writer would be pleased to have all newspaper editors in the State of Oregon copy this article.

GLENN R. JOHNSON.

Reed College, Portland, Oregon.

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### STERILIZATION OF MENTAL DEFECTIVES ADVOCATED

George A. Thacher Comments on Inadequacy of Laws to Provide for Feeble-Minded and Danger of Race Decadence Through Procreation

By George A. Thacher

(Oregonian, December 17, 1916)

It will doubtless be of passing interest to the mothers and fathers of Oregon to know that a boy of 14 years was recently committed to the penitentiary at Salem for from one to ten years. As a means of promoting the welfare of children this sounds more like the 15th century than the 20th, but the law of the state, which was passed in 1913, offers this penitentiary sentence as the only way of disposing of certain offenders. It assumes that certain



children are habitual criminals and should be treated as responsible beings.

Section 4416 reads as follows:

Any child who shall have committed a misdemeanor or felony, and shall have been found by the court to be a delinquent child within the meaning of this act, and committed hereunder, and who shall thereafter be found by the court to be incorrigible and incapable of reformation or dangerous to the welfare of the community, or who at any time, either before or after committment by the Juvenile Court, shall be found to have committed a felony of such nature as to show great depravity of mind, or who is found to be an habitual criminal, or who, for any reason, is found by the court to be incapable of reformation or dangerous to the welfare of the community, may, in the discretion of the court, be remanded to the proper court of the county in which such crime was committed and be proceeded against and tried for such crime, and if found guilty of the commission thereof, be subject to judgment therefor, and in the same manner as if he had been over the age of 18 years when such crime was committed.

(Filed in the office of the Secretary of State February 26, 1913.)

### Offense Is Second

It was under this statute that a judge in Oregon sentenced this 14-year-old boy to the penitentiary. The boy's offense was an attempted mistreatment of a girl somewhere near his own age, and this was his second offense.

Governor Withycombe was shocked at the idea of confining a child in the penitentiary, and wrote to the judge and asked particulars. The judge replied that the boy must be detained somewhere for the good of society, and he quoted the statute referred to. Governor Withycombe very cheerfully gave his consent to the prisoners' aid society to investigate the case and Dr. B. W. De Busk, of the University of Oregon, who devotes his time to lecturing on the physical and mental development of children, went to the penitentiary to examine this boy. The new warden, Captain Murphy, had the boy brought into his private office and he watched the examination with interest.

The first and most obvious fact was that the boy was over-developed physically and weighed 148 pounds. The second and more important fact was that the boy was feeble-minded.

The story of the boy as to his physical age and the date of his birth agreed with the statement made at another time by his father, so there is little doubt that this is accurate. The boy will be 15 this month, but the crime for which he was sentenced to the penitentiary was committed some months ago. His mental age is about ten years, and as this defect is incurable, he is certain to pass through life as a ten-year-old, or what is called "light" in prison parlance. His body is that of a fairly developed man with the physical capacities and needs which that implies.

This boy's mother died when he was two years old, and his companions have been mostly boys and men. He told me with all the naivete of a child who suggested his act and just how and where he attempted to carry it out. He wants to get out of the "pen" and asked if I could do anything to get him out. I asked him what made him think he could keep from doing the same thing again if he got out, and he immediately replied, "I guess anybody could remember the 'pen.'" However, as all parents and teachers know, a ten-year old does not remember, and has to be controlled in some fashion and taught to use his own powers of reasoning and self-control until he is 14 or thereabouts, when he is recognized as a partially responsible being and amenable to the law.

### Transfer Not Possible

Captain Murphy raised the question of a transfer to Dr. Smith's institution for the feeble-minded, but unfortunately that is impossible for several reasons. No such transfer is possible under the law. Second, there is no commitment law for the feeble-minded in Oregon and consequently no patient can be detained against the parents' wish. Third, the feeble-minded institution is full and there is a large waiting list. Fourth, while the institution has a farm of 635 acres and very few able-bodied persons to work it, no new buildings can be erected because the voters passed the 6 per cent tax limitation amendment, and as there was a surplus of nearly \$500,000 when the last levy was made, the next levy cannot meet the actual present needs of institutions, much less putting up new buildings.

There are two things which the people of Oregon must realize. First, the acts of a feeble-minded or defective person are regarded and punished as those of an habitual criminal. This is the law of the state regardless of the offender's age. The judge who sentenced this boy simply did what the law directed him to do. Second, the governor of the state, who has the pardoning power, has no means of protecting society from criminal acts of a feeble-minded man or boy except by leaving him in the penitentiary. That is to say the people of Oregon are responsible for this situation, and cannot blame the judge or the governor.

This case brings to mind another (and there are many) where a young man of 22 was returned to the penitentiary about a month ago for violation of parole. Eight years ago this young man was a boy in the Juvenile Court and was recognized as not being mentally responsible. He could never advance in school beyond the first grade. He has a sister in the institution for the feeble-minded, and all the family are much below normal. Charitable institutions, the Juvenile Court and the criminal courts have the family records. This young man has been guilty of the same offense as the 14-year-old boy I went to see in the penitentiary, and has been convicted of burglary, robbery and receiving stolen goods, and he always violates a parole when he gets one. Why? Because mentally he is seven years old and will always remain at that stage. He was examined recently by Dr. Eleanor Rowland, of Reed College, and she says that a rating of seven years is not a compliment to normal children of that age. At the same time he has all his physical senses and would pass in a crowd.

This is the problem of the feeble-minded, and it is also a high per cent of the problem of the criminal who may be a petty thief or a murderer as circumstances decree. This brand of criminal often shows great cunning, and so is credited with an intelligence he does not possess.

### Is There a Remedy?

Dr. Owens Adair was in Portland recently and said that she had arranged with some members of the legislature to introduce the sterilization law which she has worked for during several administrations. Such a law has been passed by two legislatures, but through the ignorance of the public has been defeated. It is only aimed at the class I have been describing, and it does not interfere with their marriage or their happiness, but it does bar progeny. It does not affect any physical function, but it would, in the case of the feeble-minded, save many thousands of dollars a year to charitable organizations and many thousands more to the taxpayers who support the courts, the prisons and all institutions for the care of the helpless. It would also save a great deal of misery not only to the victims of criminal acts of the feeble-minded, but to feeble-minded persons themselves. I talked to several feeble-minded per-

sons in Salem institutions this past week and their constant childish appeal is to "get out." And yet it is not safe to let them out. I realize that the highest privilege of men and women is to procreate their kind, but is it a right of the defective, who have to be cared for and protected as children, when their children are certain to be defective? It is true that someone would have to decide when to enforce a sterilization law and occasional mistakes might occur. However, at present it is supposed to be everyone's duty to contribute time, money and labor to take care of the crop of children the defectives bring into the world. It is a matter of choice, only unfortunately the defective often breed like rabbits.

Malthus started a sensation many years ago concerning the chances of the earth's population increasing beyond the earth's production of food. It would be more practical to estimate how long it would take in view of the fact that many normal persons never marry, and that families of normal persons are not large as a rule, for the defectives to increase to a point where the normal community could not take care of them. This will be a question of real interest during the next few hundred years, while Malthus' theories will have only a speculative interest for some thousands of years to come. The state, the church and all organizations recognize the claims of the helpless, and if the helpless are encouraged to multiply, as they are tacitly encouraged to do now, what will be the ultimate result?

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### EUGENICS BOARD CALLED

#### Cases of Feeble-Minded Are to Be Admitted Under New Act

(Oregonian, June 6, 1917)

Salem, Oregon, June 6, 1917.—(Special.)—Specific cases of inmates at state institutions who may be brought to the attention of the new State Board of Eugenics were mentioned at a meeting of the State Board of Control today, and Governor Withycombe asked Superintendent Steiner, of the State Hospital to hurry along the first meeting of that new board so that steps may be taken for the exercise of its functions.

Superintendent Smith, of the School for Feeble Minded, called attention to those inmates at that institution he believes could be properly turned loose into the world under supervision, providing their cases are passed upon by the new board.

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### LAW TAKES MAN WHO STOLE GIRL OF FEEBLE MIND

(Oregon Journal, January 14, 1921)

Stealing of a feeble-minded girl from the state institution at Salem for immoral purposes, and then transporting her through two Northwestern states as his wife, constitute the charges in main filed Thursday against Charles J. Cameron by Assistant United States Attorney Flegel.

The government prosecutor declared this to be one of the worst cases ever called to his attention. Over two years ago Cameron, who was then assistant engineer at the institution, is said to have had trouble with his wife, who was employed as cook at the hospital. Upon leaving the institution

Cameron is said to have taken 17-year-old Mary Alvis with him. The two are said to have first visited the Elks convention at Klamath Falls and to have later traveled by auto throughout Oregon and Washington. The specific white slave charge against Cameron is for transporting the girl from Vancouver to Salem and back again three times during August and September, 1919. The case was brought to the attention of government officials recently when the girl gave birth to a child at the Salvation Army Rescue home.

Cameron was arrested Tuesday in Centralia, Wash., and is now held in the Multnomah county jail in default of bond.

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### MARRIAGE LICENSE BILL

#### Vigorous Opposition Voiced to Dr. Owens-Adair's Measure

(Oregon Journal, May 7, 1921)

Portland, April 26.—To the Editor of The Journal—Senate bill 174, sponsored by Dr. Owens-Adair, is a menace of the worst kind to the citizens of this state, and at the coming June election should be promptly annihilated by the voters. This monstrosity proposes that all applicants for a marriage license shall be examined by a regularly "licensed" physician (of the allopathic medical school, of course) as to their physical and mental fitness to marry—he to be the sole judge—and if he pronounces them unfit they cannot be married unless sterilized. This looks comparatively innocent on the face of it, but here is the nigger in the woodpile. Two years ago, with a legislature filled with doctors, druggists and dentists, a most infamous medical measure—chapter 264—was passed. Among its provisions is a section providing for the sterilization of the inmates of the state prison, the insane asylums and other state institutions, who are "feeble minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts," and instead of curing them hundreds have already been sterilized and emasculated.

Section 95 of this act says: "The provisions of this act shall apply to all persons within the state of Oregon," etc. Therefore, if matrimonial candidates failed to meet the ideas of the examining doctor they could be forcibly seized and sterilized in violation of their constitutional and personal rights. Few states have had the nerve to place such laws on their statute books. Iowa had such a law but it was pronounced unconstitutional by the supreme court, and the Oregon law is unconstitutional. Dr. Owens-Adair has conceived the preposterous idea that human beings can be bred and cross bred like sheep, and it is a fallacy of the rankest sort; furthermore, the state of Oregon is in no way bound to accept this lady's ideas, and I repeat that the voters should massacre this bill as they always have heretofore done when sterilization bills have come before them.

DR. W. A. TURNER,  
Secretary Health Defense League of Oregon.

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### REPLYING TO DR. TURNER

#### Dr. Owens-Adair Tells Him He Doesn't Understand the Bill He Denounces

Portland, May 4.—To the Editor of The Journal—Will you allow me space

to reply to that irate Dr. Turner, who has used space in abusing me and the marriage bill, No. 174? He says it is a menace of the worst kind; calls it a monstrosity; advises people to annihilate and massacre it. Permit me to address the doctor, as follows:

Now, Dr. Turner, I advise you to look over your communication, and I think you will find I will call them mistakes, for they are not true. You say that two years ago the legislature, filled with doctors, druggists and dentists, passed "a most infamous measure." There was no such bill before the legislature two years ago. Why do you abuse the professional men? You put "Dr." before your name. My sterilization bill passed and became a law in 1917. Many doctors and many people say it is the best law on the books. Why? Because it stands at the head of all human laws. This year Washington copied Oregon's law, and now has her sterilization law. Do you think those legislators were all fools and knaves?

You say that Dr. Owens-Adair has conceived the preposterous idea that human beings can be bred like sheep, which is a fallacy of the rankest sort. What do you know about cross-breeding? I suppose you are a white man. Perhaps you have red hair. You might fall in love with a colored lady and marry her. Perhaps your first baby girl would be red-headed like your people, but surely some of the children would resemble their mother. Later your pretty red-haired girl grows into womanhood and marries a red-haired man. You are expecting a bunch of red-haired grandchildren. Don't be disappointed if the first one that comes is as dark as its grandmother. This is heredity—a law of nature than no man can avoid.

You deride sterilization because you don't understand it. Sterilization is the greatest human remedy that has ever been discovered by man. It protects the subnormal from themselves, thus protecting the unborn child. Sterilization takes nothing from man or woman, only the power to reproduce. If you shoot a man you forfeit your life, but if you bring a diseased child into the world, subnormal mentally and physically, you have committed a greater sin than murder, for you have robbed that child of its birthright and made it a curse both to itself and to the world.

DR. OWENS-ADAIR.

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### CHALLENGES DR. OWENS-ADAIR

(Oregon Journal, May 9, 1921)

Hillsboro, May 9.—To the Editor of The Journal—An old reader of The Journal asks space in your valuable paper for a few questions and comments on the Dr. Owens-Adair sterilization bill. I have read a letter from Dr. Turner asking Dr. Owens-Adair some questions, but in her reply to him she evades every one. Now, what I and also several of my friends would like to know is why this evasion? If this bill is such a godsend, why shouldn't its sponsors answer any question in regard to it? Will Dr. Owens-Adair answer every one of them just as Dr. Turner asks them? And I would like to ask a few more along the same line:

First—If there are 60,000 defectives now in Oregon, how much would that mean in dollars and cents to the doctors of the state?

Second—If there wasn't anything in it for the doctors would the bill be all right?

Third—If this bill is such a life saver as Dr. Owens-Adair would have us believe, isn't it rather strange that some one hasn't thought of it years ago?

Fourth—And why all this thoughtful solicitude on the part of Dr. Owens-Adair for the good people of Oregon? Isn't it great to have someone so deeply interested in our well being.

F. M. HARDIN.

## DR. OWENS-ADAIR REPLIES

### Answering Questions of One Who Opposes Bill 174

Portland, May 16—To the Editor of The Journal—Permit me space to reply to F. M. Hardin, whose communication, with list of questions, I received today:

To begin with, Mr. Hardin, allow me to correct you. Bill 174 is the "hygienic marriage bill" and not a sterilization bill. Oregon has a sterilization law four years old.

You say I did not answer Dr. Turner's questions. I have his letter before me. He did not ask any questions. Had he done so I would have answered the best I knew how. The letter was full of assertions and irate abuse of me and the profession, notwithstanding he puts "Dr." before his name.

Now, I will proceed to reply to your questions:

No. 1—"If there are 60,000 defectives in Oregon"—(Dr. Carlisle, U. S. P. S. says there are 65,000 and Dr. Viets says there are 75,000)—"how much would that mean in dollars and cents to the doctors of this state?"

By this I suppose you meant to be funny. I cannot tell you, but I might tell you how much it has added to my taxes, which is of vastly more importance.

No. 2—"If there wasn't anything in it for the doctors, would the bill be all right?"

Yes, without a doubt. The bill was not got out by the doctors or for the doctors. I retired from the practice of medicine in 1905; left a good practice to write a book and take up this work. I have spent thousands of dollars and expect to spend more, and can truthfully say that I never expect to get one dollar in return.

No. 3—"If the bill is such a life-saver, why have people not thought of it before?"

Not a life saver, but a race saver, my friend. If you are a reader, you know that scientists have long been writing and warning the people of this, the greatest of all curses, degeneracy. The remedies proposed have been education and religious training. The teachers have taught and the churches have labored and prayed, and still the degenerates come on and on like a great avalanche. I do approve of schools and churches. What might not have been our condition had it not been for them? And they will and must go on.

I have worked many years along these lines and I have made up my mind that the only way to save our country is to cut off the source of degeneracy. In 1907, when I had my sterilization bill introduced, I said, "This is to save the birthright of the unborn child, which has a right to be well born." Sterilization is the simplest, the purest and the greatest remedy that has ever been discovered by man. At no distant day we shall have a federal law. Then we shall begin the propagation of supermen and women—not pygmies.

DR. OWENS-ADAIR.

**INDORSES OWENS-ADAIR BILL****Deplores the Fact That It Was Not Enacted Thousands of Years Ago**

(Oregon Journal, May 10, 1921)

Portland, May 10—To the Editor of The Journal—God bless the Owens-Adair bill. Let "Subscriber," who berates the most humane bill ever put before the world, be better advised. There is something far greater in life than just the privilege of calling "your anatomy" your own, as Subscriber puts it. If Subscriber wants to know where to gather data as to defectives in the state, any conscientious physician will inform him of the alarming situation. Let him go to the state institutions for the insane and go through the wards. Seeing is believing, in some cases. Afterward he can lift his voice or pen in behalf of the unborn child and for humanity. If the world had reached the high state of civilization Subscriber thinks it has, there would now be no need of the sterilization measure. A few thousand years ago if humanity had opened its eyes to the curse of mankind, this would be a different place from what it is at present. At least, our institutions for the insane and feeble-minded would not be full, as they now are.

If Subscriber or any one else who is against the Owens-Adair bill will look over his acquaintances and friends he will very likely find a skeleton in the closet, and perhaps one hidden in his own family. Heredity is no respecter of persons. These unpleasant surprises in our own respectable homes are bringing a new civilization on earth. Better no more offspring than to curse the life of a pure child with bad blood and the doctrine of "personal liberty"—falsely so called.

Let every person with tainted blood be sterilized.

Vote for the Owens-Adair bill or rob unborn children of their birthrights.

ANOTHER SUBSCRIBER.

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**HAS FEAR OF BILL NO. 174****Thinks It Will Put the Constitution Into the Discard**

(Oregon Journal, May 23, 1921)

Portland, May 20—To the Editor of The Journal—Dr. Owens-Adair, in her letter to The Journal yesterday, says: "Oregon has a sterilization law four years old." She refers to chapter 264, 1919 session laws. This was passed the same as it is now attempted to pass bill No. 174, known as the "hygienic marriage bill"; that is, it was passed without the people who voted for it knowing what it really contained or how it could be construed. The average person thinks the sterilization law applies only to the asylum and certain cases in the penitentiary, while as a matter of law it applies to every man, woman and child in the state of Oregon. They simply start on the poor convicts, to get people used to it. Any citizen can be taken up on the streets, or from his home, and ordered sterilized simply at the request of a few doctors comprising the "state board of eugenics," provided they determine it is for the citizen's "psychic, neural, mental or physical betterment."

Dr. Owens-Adair speaks of degeneracy in her letter quite frequently. Now degeneracy manifests itself in various forms. One form is like Jack the Ripper, where he personally mutilated the victim. The other form is

known as secret or mental degeneracy, manifested by any act whereby others may be thereby mutilated, such as advocating or voting measures whereby others may be mutilated or cut. We also have senile degeneracy, etc.

Our grand old constitution is still in the books, but with the health and police powers it is fast becoming only historical.

How did we ever get such a beautiful and wonderful world here, with all these mental defectives some few people claim are in it? I cannot understand it.

Dr. Owens-Adair talks of a federal bill on sterilization. Believe me, the average man and woman are so busy trying to earn a living that they don't realize what these so-called scientific cranks, who become obsessed with an idea, are slipping over on us. One of these advocates recently in talking to me said that he would shortly introduce "a bill to sterilize all bald-headed men," as the loss of hair showed, to his mind, a physical and psychic degeneracy, he having a heavy growth of hair on an ivory foundation.

Vote "no" on all these bills which are undermining our liberties, and which is a practical thing can only be used against those without means to defend their rights.

TOM GARLAND.

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### REPLYING TO MR. GARLAND

**Dr. Owens-Adair Says Opponents Don't Know What No. 174 Proposes**

(Oregon Journal, May 29, 1921)

Portland, May 27—To the Editor of The Journal—Here I am called upon again to answer an anti-sterilization critic. I do not object to debating a subject if my opponent will keep to the question and the facts. None of these fault-finders does either. They all seem obsessed with sterilization, and yet it is quite evident that none of them understands sterilization. They use a great mass of verbiage to deceive a certain class of people. Tom Garland says the sterilization law was passed the same as it is attempted to pass bill No. 174. This is not true. Now I have the floor, and I want him to listen.

In 1907 I got the sterilization bill introduced in the house at Salem. It was lost. In 1909 it passed and Governor Chamberlain vetoed it. In 1911 it failed to pass, through a mistake and a trick. In 1913 it passed and Governor West signed it. Then the referendum was used. I knew it could never stand the referendum and expected but a few thousand, but when the vote was counted and there were nearly 40,000 I knew that victory was not far away, and in 1917 sterilization became a law.

When I was on my way home from the legislature the Oregonian and other papers said Dr. Owens-Adair "says she is not afraid of the referendum, for the people are too well educated." Now I would advise Mr. Garland to put that in his pipe and smoke it till he is sure he can remember it. That is all recorded and he can't get around it.

Again, on February 14 this present hygiene marriage bill came up in the senate and every senator but one voted for the bill. On February 18 it passed the house, with only nine voting "no." Now what do our opponents think of that?—three senators out of 30, and nine representatives out of 60. Do they really think these were all degenerates? Mr. Garland says I am advocating a federal sterilization bill. Now he is off the track again. I never



advocated a federal bill. But I am advocating a federal law that will require every adult to pass a health and mental test. But let none get scared; let them just put that in with the other words and remember that the only power than can shake our constitution is degeneracy.

DR. OWENS-ADAIR.

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### HE IS TO HANG

(Oregon Journal, April 29, 1921)

Gene Geary is to die on the gallows in Chicago on June 17. He was convicted of murder.

Geary has been known in Chicago official life as a gunman of limited mentality. He is referred to as the "simple boy." Alienists agree that he is mentally weak.

He was once convicted of gun toting. Later he was placed on trial on the charge of shooting a taxicab driver. The evidence against him was weak and a jury returned a verdict of acquittal. Last May he stepped into a Chicago saloon. He had words with a stranger. His gun was in his pocket. Suddenly Geary whipped out the revolver and pumped out two shots. His victim fell dead.

Although Geary is notoriously weak-minded and is widely known as the "simple" gunman, he always had his pistol.

He had been convicted by the courts of gun toting, but the courts couldn't prevent him from purchasing a revolver. Although simple minded, he could buy a gun at any time. There is no effective law to prevent it.

Can society justly take his life after providing him with the gun to do his killing? Is it justice when a mental defective is given a gun that is manufactured for but one purpose—to destroy—and then be hanged when he uses it? Is society fair in aiding him to commit a crime and then hanging him for it afterward?

The half-wit goes to the gallows. The gun goes on to another—perhaps another half-wit.

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### PERHAPS DR. OWENS-ADAIR IS RIGHT

(Oregon Statesman, February 6, 1921)

Dr. Kellogg of the Battle Creek, Mich., Sanitarium said in an address at San Francisco in 1915:

"We are actually building up an aristocracy of lunatics, idiots, paupers and criminals. These unfit persons have reached the proportions of a vast multitude—500,000 lunatics; 80,000 criminals; 100,000 paupers; 90,000 idiots; 90,000 epileptics, and we are supporting these defectives in idleness like real aristocrats at an expense of \$100,000,000 a year. This mighty host of moral and mental cripples is increasing due to unrestricted marriages and other degenerate influences at a more rapid rate than the sounder parts of the populations so that they are bound, in time, to constitute the majority unless some check is put upon the increase."

Cases of girls examined in the Portland health office and unfit for work in food establishments since the health records were required for people

handling food. (Many of these cases submitted to treatment, others refused and are at large polluting others, and often marrying in their diseased condition.) G. C., 250; syphilis, 57.

Perhaps Dr. Owens-Adair is right.

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### OPEN FORUM

(Capital Journal, January 31, 1921)

To the Editor: I have been asked if I am advocating the settlement of the Japanese question by sterilization. I can answer most emphatically that I have not as yet advocated any plan. It is a question that must be settled and when the time comes we must and will, find a way to meet it. In 1913 when my sterilization bill was ready to sign, Governor West telegraphed me to come. I brought with me a quill pen. I said, "Governor, our Declaration of Independence and our Constitution were signed with a quill pen, and I think this is a proper occasion for the use of the quill pen." Dr. Coe, the editor of the Medical Sentinel, obtained my picture and wrote me up. Soon after, I received a letter from a prominent gentleman of Texas, saying he was a reader of magazines and medical journals and much interested in my work which was new to him. He said he had given much thought and study to the different plagues—the white, red and black plagues. He thought the black plague was by far the most serious. He said, "Have you thought and have you written anything on the black plague? If not, why not? Don't you think it is time to begin?" He asked me to write him fully as to what could be done, or might be done. In answer I said, "I have written nothing. I have thought considerable, believing that if nothing is done, in time the black race will outnumber the white." I have repeatedly said that if every violator of white women and girls was radically sterilized and turned loose, the benefit would be greater than the rope or torch. But should the time come that the black race became a menace to our nation, a remedy could be found without resorting to war. Congress could pass a law requiring the sterility of the female. A simple, harmless remedy removing nothing—does not interfere with health or pleasures. I prophesy that within a few years we will have a federal law requiring every adult to pass a test for health and mentality. Then purification will begin in earnest. The source will be cut off. To my mind there is no other way.

Today we are paying over \$100,000,000 a year for these moral and mental cripples, all of which can be prevented. It is time that every normal person should rise up and demand that the cause be removed. God said if thy right hand offend thee cut it off.

DR. OWENS-ADAIR.

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### THEORIES PAST AND PRESENT

Sterilization Plan Arouses a Satirist Who Challenges M. D.'s

(Oregon Journal, May 23, 1921)

Weiser, Idaho, May 23.—To the Editor of The Journal—Theoretically this proposed sterilization law ought to work wonders, but unfortunately, all

these sweet-sounding theories are founded upon the arbitrary assumption that someone is competent to pick the victims. Is the record of the medical profession such that we can depend upon our M.D.'s to do it? Some centuries back some wise old owl of a doctor "bled" a fever patient. The patient got well, and for many generations this was the one "greatest remedy on earth." Then another brilliant discovery. "This 'bleeding' method is all bunk," declares another wise old owl. "Keep water away from your fever patients," exclaimed Old Doc Bunk, "and all will be well." And then, for two or three generations presumably intelligent men regularly prescribed "one teaspoonful of water every four hours" for a patient burning up with fever. "Greatest remedy on earth," you know.

Thirty-five years ago the old school "physiology," assisted by various teachers, ground it into my unwilling skull that I must bathe to "keep the pores open." Later I read and heard it in a million different places, and for 30 years I used to occasionally fill the old boiler and set her on the stove, and drag out the old washtub, and shoo everybody out of the way while I opened up them pores—good and plenty. Twice every year, too. And then one day I read from the prolific typewriter of Dr. Woods Hutchinson, something like this: "Before taking a ride in severe cold weather it is well to take a bath in order to close the pores. Close 'em! I read on: "It is now generally conceded that bathing has a tendency to close the pores." Scat, you beast! And all the time I thought I was opening up them pesky pores! And these are the fellows who propose to select our sterilization victims. They bleed fever patients for a couple of centuries, then kill off perhaps a million by denying them water, then quit that and try something else.

Think of a hundred million people "opening their pores" every week! Think of all the wasted soap! Then bury the fad-hunters under a deluge of ballots.

JOHN JOSEPH.

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### FEARS STERILIZATION LAW

**Believes if Enacted It Will Be Enforced Only Against Working People**

(Oregon Journal, June 3, 1921)

Estacada, May 23.—To the Editor of The Journal—Dr. Owens-Adair, in a recent issue of The Journal, says: "Sterilization is the simplest, the surest and the greatest remedy that has ever been discovered by man. At no distant day we shall have a federal law. Then we shall begin the propagation of supermen and women—not pigmies." How silly to think that a law could do such a wonderful thing. She also says: "Scientists have long been writing and warning the people of this the greatest of all curses, degeneracy." Why not try to find out what causes degeneracy? In Bridgeport, Conn.: "Five children faint in school room from hunger; fathers are out of work." (Chicago Tribune, May 8.) "Starving men and women eat garbage in Wilmington, Del." (Oregon Journal, May 13.) "Millions of workers are unemployed in this country." And we see in The Sunday Journal of May 22 the expenses of Mrs. Leeds' \$1000 a day yacht. Linen and silver, \$15,000; gold cocktail cups at \$50 each. And Mrs. Leeds took her expensive custom-made cigarettes from a solid gold cigarette box that was valued at \$600 and daintily flicked the ashes into jade ash trays that cost \$125. Do such conditions cause degeneracy? Why not make it possible for everyone to go to work? Railroads need repairing.

Wreck the tenement houses and build good homes. Irrigate the fertile valleys. We shall need lots of fuel next winter. Quit adulterating food.

In the April, 1921, number of the Physical Culture Magazine is an article about a young man curing himself of syphilis by fasting and the "milk cure." Make our surroundings healthful and disease will vanish from the earth. It appears to me that we are going to throw a man out of work first, then he gets hungry and steals a loaf of bread. Put him in jail and then sterilize him because he is a degenerate. Because, remember, such laws always affect the working class only.

L. A.

I give space to the above to show the element with which we have to deal.

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(Astoria Budget, 1922)

Two Chinamen murdered in Astoria and their murderers undetermined! A prominent Roseburg professional man under arrest for one of the most cold-blooded murders in the state's annals! The body of a Milton rancher found in an abandoned well! A whole family nearly wiped out by a Petaluma degenerate! A Tacoma woman taken into custody for the alleged killing of a Tennessee man! A double killing in California in one of life's eternal triangles! A Pendleton cowboy shot to death after trivial quarrel!

These are only a few of the tragic tales brought in by the news wires within a few days, and they give the psychologist, the sociologist and the criminologist food for hard thought, to say nothing of the average layman.

Why such a series of murderous crimes? What the cause or causes? How far is the blood lust, released by the late war, responsible? Are unemployment and hard times contributing factors? Is it in any degree a logical sequence from an era of fast living, underworking and overspending? Can any cause be found in the leniency of courts and the abuse of the parole system? Have we listened to false prophets and followed false gods so long that human life has grown cheap when measured against the lure of the dollar and the urge of passion?

Let those answer who can. The remedy we do not know, but a little more consistent teaching by church and school, press and platform of the "Thou shalt nots" of the ten commandments might prove as good as any.

I am sorry the Astoria editor failed to recommend, in addition to prayer and education, a state sterilization law to deal with all such men as the one mentioned above.

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Paso Robles, California, Jan. 5, 1922.

Some good friend sent me the Journal with a big circle around a small communication, signed "A Reader." My first thought was, "Precious things come in small bundles," when my eye caught the following:

**Against Sterilization**

Portland, Dec. 22.—To the Editor of The Journal—Please allow me to say a few words in reply to Dr. Owens-Adair. I would say that it surprises me to see such terrible things framed up, especially by the opposite sex. I would like for them to show where they have any right to urge such things. The one sure solution for these horrible, outrageous, ridiculous ideas would be if they were to be tried on the advocates of them first. I am quite sure we would hear much less about them; also many other unjust things they are trying to impose.

A READER.

After reading the above I laughed heartily, which is always a good tonic for the weary brain, that is struggling with the great problems of humanity, not knowing just where and how to strike the right key—there are so many keys on this great key-board to master, which means knowledge, much knowledge, expert knowledge; which calls for the co-operation of the expert thinkers and scientists of the age who possess clean bodies, and clear heads to solve and handle this, the greatest problem that faces our nation today—the problem of degeneracy. A solution will be found, because it must be found—for our life depends upon it, and America will find the way. As one writer has said: "When America starts in all Hell will freeze over before she will stop." America has started in and the flag of the "New Patriotism" is floating far and near. Our slogan is "Purity for our Nation." The watch word is "Listen to the cry of the unborn child." In support of this assertion you have but to consult "How to Live," by Fisher & Fiske. This splendid book has reached its 12th edition since Oct. 1915. This book is authorized by the "Hygiene Reference Board of the Life Extension Institute, Inc."

Get this book, look at the portraits, all members of this great board of 76 scientists, every one occupying positions of honor and responsibility, every one searching after the best method of improving our race. Don't forget to read the last chapter—beginning on page 293, ending 323. The reader will then realize what this great problem means not only to America but to the world. All of which must be understood and applied, to bring peace, brotherhood and love. In time this will come true, and the world will be ruled through and by love. The above, by "Reader," is a fair sample of good and honest people who are shocked and horrified at the mention of "Sterilization," all for the want of knowledge of what it means, and what it stands for. A few incidents may be of interest:

Last February, in the Legislature, one of the stenographers said to me: "Doctor, Representative \_\_\_\_\_ said, 'Well, yesterday I went out there by special invitation of Dr. Smith to that feeble-minded institution, and it made me sick, I couldn't eat my dinner, I couldn't see anything but that terrible outfit. It made me sick at

my stomach, and I don't see how they are ever going to stop it.' " She told me she said to him: "You vote for Dr. Owens-Adair's Bill and you will be on the right road to stop it." Suffice it to say he voted for it. Later a lady came to me laughing and said, "Well doctor, you will get my husband's vote. Dr. Smith took us out to see the feeble-minded, and my husband was so disgusted and horrified that when we came away, he said, 'Well, I will vote for Dr. Adair's bill, or any other bill she may bring up, for this is the most horrible thing I ever saw.' "

And now, as a physician, I will just give a little advice to all such as "Reader." To take a day off and make a visit to Oregon's Feeble-minded Institution at Salem. Dr. Smith will kindly show you around and answer all questions. And I have no doubt but you like those two men—and there are many more—you will experience a change of heart, and be anxious as were they to do your Christian duty to assist in preventing the birth of such degenerates. Dr. Haiselden, of Chicago fame, said to a delegation of doctors and newspaper reporters: "Sterilization is such a simple and harmless operation, it is not worthy the name of a surgical operation." It can be done in a few minutes without pain or danger.

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### A CASE OF HEREDITY

A correspondent of the New York World describes a state of affairs which would seem incredible, only that the correspondent gives names and post-office address of the people about whom he writes. It appears that at Chilmark, Martha's Vineyard, there is a colony composed largely of deaf mutes, all natives of the place. There are 146 souls in the Chilmark settlement, and of these  $36\frac{1}{4}$  are deaf and dumb, all born so. The affliction seems rather to be increasing than diminishing. In five families in the settlement named there are 28 children, and of these 15 are deaf mutes.

If we call on heredity to account for the strange phenomenon, then heredity has indulged in nothing less than a freak. The inter-marriages have not been numerous among relatives nearer than third or fourth cousins. But the deaf mutes have married indiscriminately at their own will, married as often as they wished or could, and taken either deaf mute partners or those who could hear and speak if the latter would have them. The consequence is that the taint of deaf mute blood is diffused through the whole population, and the affliction may crop out at any time even among the children of those who hear and speak perfectly. Since the first settlement of the island the inhabitants have kept closely to themselves, not often intermarrying with outsiders.

Chilmark is therefore a settlement of pure blooded Martha's Vineyarders. A peculiarity of the Chilmark deaf mutes is that they are apt to be splendid physical specimens otherwise—tall, strong and rosy, living to a great age in perfect health. Finally the descent of all these deaf mutes of Chilmark can be traced directly back for 250 years to two deaf mutes who were among the first settlers of Martha's Vineyard.

January 19, 1917.

Dr. Owens-Adair, San Diego, Calif.

Dear Dr. Adair:—

I was very glad to get your letter and especially to know that you are pleased with my message. I believe there is a good chance for the sterilization act to pass, and certainly I heartily approve it, and trust it may.

Sincerely yours,

JAMES WITHYCOMBE, Governor.

February 20th, 1917.

Dr. Owens-Adair, 3061 Redwood Street,  
San Diego, California.

My Dear Madame:

Please pardon my long delay in answering your good letter of the 7th. I read it with pleasure but due to the press of legislative work was unable to respond to it sooner.

The Peck Sterilization Bill was passed by the legislature yesterday. I am sorry to say that the Farrell bill was defeated in the last hour of the session. It was impossible to gratify your request that Senator Farrell witness the signature of the bill because he had left prior to its receipt by his office. It has given me great pleasure to see this bill enacted. As you know, I recommended it in my message and I have lent my earnest support to it throughout the session.

Sincerely yours,

JAMES WITHYCOMBE, Governor

January 22, 1917

Dr. Owens-Adair, San Diego, Calif.

Dear Madam:—

I received your letter of January 14th and pleased to note all the good things that you say about me as I know that you mean what you say.

Mr. Farrell has introduced your sterilization bill and I will state that my attitude toward the bill is the same as it always has been. I am with you first, last and all the time.

Yours truly,

C. A. LIENENWEBER, State Senator.

February 7th, 1917.

Dr. Owens-Adair, 3061 Redwood Avenue,  
San Diego, Calif.

My Dear Mrs. Adair:—

I have your favor of the fourth instant and am very pleased to inform you that our bill passed the Senate comparatively easy because we had the votes counted ahead of time and really had two more votes who happened to be out of the room at the time. Otherwise, we would have had twenty Aye votes.

The Pack Bill in the House, a more drastic measure, passed the House with a good margin and is now before the Senate. I am afraid, in its present form, it cannot pass the Senate and if it does, it will probably be referred to the people as the bill was before. I am now trying to get the House to com-

promise and possibly add some features to my bill so that we can have some sort of legislation enacted this Session along these lines. Believe me,

Very truly yours,

R. S. FARRELL, State Senator.

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January 15, 1917.

Dr. Owens-Adair, 3061 Redwood Avenue,  
San Diego, Calif.

My Dear Doctor:—

Your letter of recent date, enclosing transcript of letter to members of the Legislature received.

The bill has not as yet been introduced, but as soon as it makes its appearance, I should be pleased to render what ever assistance I can for its passage.

Sincerely yours,

J. N. SMITH,

Superintendent State Institution for Feeble-minded.



# CHAPTER X.

## THE HYGIENIC MARRIAGE LAWS

(From Oregon "Voters' Pamphlet," Special Election, June 7, 1921)

(On Official Ballot, Nos. 306 and 307)

### ARGUMENT (Affirmative)

Submitted by the joint committee of the senate and house of representatives, thirty-first regular session, legislative assembly, in behalf of the measure known as the hygienic marriage examination and license bill, known as senate bill No. 174, introduced at request of Dr. Owens-Adair.

#### The Situation

The state survey of mental defect, delinquency and dependency ordered by the Oregon legislature, 1919, shows that 29,847 individuals in Oregon, by their subnormal conduct, have classified themselves as mental defectives, delinquents and dependents. These 29,847 persons are social liabilities and represent 3.8 per cent of Oregon's population. The state feeble-minded school has almost 600 inmates with more on the waiting list and many more at large who are a serious menace to the public welfare. The survey shows:

"The survey has reviewed over 65,000 socially inadequate individuals in Oregon. 29,555 were complete or partial dependents; 30,141 were delinquents. Excluding two-thirds of each type as minor cases, there remain about 20,000, of whom approximately 10 per cent are mental defectives. Total known insane and mental defectives, 7,686, a ratio of 9.8 per thousand of the general population. Rejections in the army draft in Oregon for such causes were 11.26 per thousand, so the survey is clearly conservative. Special studies with adult criminals showed 51 per cent mentally dull or defective, while 22 per cent of these adult criminals have the mind of a child 12 years or less and are distinctly mentally defective. The same element of mental defect holds true for juvenile delinquents. Of 451 dependent inmates of poor farms 175 showed mental defect."

Dr. Pierce Bailey, head of the mental examination department of the United States army, during the war, estimates 29.2 per cent of all persons examined for service in the army were unable to qualify

as regular soldiers on account of mental defectiveness. England, during the war, made a survey of her school population and found that one-sixth of them were unable to acquire an education on account of mental or physical disability.

Dr. Kellogg of the Battle Creek, Mich., sanitarium, said in an address at San Francisco in 1915:

"We are actually building up an aristocracy of lunatics, idiots, paupers and criminals. These unfit persons have reached the proportions of a vast multitude—500,000 lunatics, 80,000 criminals, 100,000 paupers, 90,000 idiots, 90,000 epileptics—and we are supporting these defectives in idleness like real aristocrats at an expense of \$100,000,000 a year. This mighty host of moral and mental cripples is increasing, due to unrestricted marriages and other degenerate influences, at a more rapid rate than the sounder parts of the population so that they are bound in time, to constitute the majority unless some check is put upon the increase."

For Oregon's citizens to ignore such a situation is a criminal folly.

### The Reason For It

The great mass of mental defectives inherit their feeble-mindedness. Sometimes defectives occur in healthy, normal families, but authorities agree that two-thirds of all feeble-minded people are victims of bad heritage from their parents who themselves are not well born. Every feeble-minded person is a potential criminal. Unable to distinguish right or wrong they drift into crime and pauperism.

Statistics show that the feeble-minded woman bears twice as many children as the normal woman. The decadence of its people is the most appalling thing that can threaten a country. Feeble-mindedness lowers the average standard of the race mentally, morally and physically.

The menace to our system of government by the great proportionate number of people that are below normal mentality as shown by the survey made in the different sections of our country cannot much longer be overlooked. It is a well established fact that a large majority of our larger families occur among those that are subnormal, and it is these children that are filling our penal and eleemosynary institutions.

Every child is entitled to be well born and have an equal chance and opportunity to make the best of life. It should be "better children" instead of "more children" the aim we should seek.

Dr. J. N. Smith, superintendent of the Oregon state institution for the feeble-minded says:

"The extent and effect of feeble-mindedness on our social fabric

is just beginning to be understood. It is not generally realized that one-half the expense of our criminal courts, penitentiaries, jails and poor houses is the direct result of mental defectiveness. Feeble-mindedness is the immediate cause of a large percentage of insanity, delinquency and pauperism.

"Recent investigations have proven beyond doubt that from 75 to 80 per cent of feeble-mindedness is attributable to heredity. Without responsibility in the matter of providing for them, their families are larger than those of normal persons, often thirteen or fourteen in a family, while among families of normal people the average will only be three or four. Where both parties to the marriage relation are below normal the children will all be feeble-minded. This is so certain to be the case that the Ohio commission appointed to investigate gave as their opinion 'that if a normal child was found in a family where both parents were feeble-minded, it was absolute proof of illegitimacy.' Fernald says 'every feeble-minded child is a potential criminal,' and this is especially true of all grades except idiots. The higher the grade the more likely they are to be criminal, unless kept under constant supervision."

### The Cost in Taxes

Dr. Chester L. Carlisle, United States public health service and director of Oregon survey of delinquency, mental defect and dependency, says in his report to the Oregon legislature of 1921:

"The present cost to the taxpayers which defective, inefficient, inadequate, delinquent or dependent conduct entails on every man, woman and child in Oregon, is in a word the bulk of all state, county and city taxes which you are paying for the upkeep of police, jails, penitentiaries, courts of criminal jurisdiction, sheriff's duties, poor relief, hospitals, institutions and houses for the defective, disordered delinquent or dependent of all types, including also your charitable donations of shelter, medicine, food or clothing. \* \* \*"

Oregon's expenditures on account of defectives, in departments enumerated by Dr. Carlisle, can not all be estimated or tabulated in this argument, but their sum total would reach a staggering figure and help explain our constantly increasing taxes. It costs the taxpayers of Oregon almost a million dollars yearly for maintenance alone in the following institutions:

Feeble-minded school .....	\$150,000.00
State insane asylum .....	465,000.00
Eastern Oregon insane asylum.....	135,000.00
Industrial school for girls.....	25,000.00
Boys' training school .....	60,000.00
Penitentiary .....	150,000.00
<b>Total .....</b>	<b>\$985,000.00</b>

In addition to the above each legislature is called on to appropriate large sums for building repairs, equipment and purchase of additional lands. The last legislature for these purposes appropriated almost a million dollars.

The state has already invested several millions of dollars in lands and buildings necessary for the care of these defectives, delinquents and criminals. How long can our state stand this drain on its resources?

### The Remedy

The aim of senate bill No. 174 is to limit the families of those unfit to meet the complex conditions of our civilization in a way that would work the least hardship on them to enjoy all the privileges and pleasures of life while preventing them from bringing into the world children that would only be a burden and expense to the country.

Dr. J. N. Smith, whose wide experience makes him an authority on the subject of feeble-mindedness, says:

"Several states have laws forbidding absolutely the marriage, or the issuing of licenses by the county clerk, or the performance of the ceremony by a minister or other officer, but this bill allows the contracting of the marriage relation, provided one or both of the parties to the contract be sterilized. This is a much more humane yet effective law, because it allows the marriage relation to be maintained under conditions that make it safe for society, whereas a law forbidding marriage of this class of people will rather encourage illegitimacy. All women are not intended to be mothers, and some that cannot be mothers make excellent wives and members of society. So that in this day it is not considered a great deprivation not to be able to have children of your own, as the desire can be fully satisfied by taking one of the many children that are being offered every day for adoption.

"This law is so guarded as to make it almost impossible for it to be abused. An appeal to the court is allowed in every case, if the parties are dissatisfied with the decision of the clerk.

"The provision for a physical examination for all is only an extension of the law we now have for males, to females. As this law has had a very salutary effect, we see no good reason for not extending it, as this bill anticipates.

"The present generation of feeble-minded persons can not be aided by this bill. They are here with us and have to be taken care of at public expense. The fundamental purpose of this bill is to prevent the continuation of this condition by a simple remedy, which, if adopted, will result in not only a more wholesome society, but also

effect a very material saving to future generations by eliminating the necessity for institutions to care for these people.

"This bill of Dr. Adair's is in a sociological and economical way the most important bill which will come before the people at this election. It is the first step only, to be supplemented by careful legislation."

Vote for the preservation of the normal of our race.

J. C. SMITH, M. D.,

State Senator, 7th district, comprising  
Josephine county.

MRS. W. S. KINNEY,

Representative, 19th district, comprising  
Clatsop county.

W. C. NORTH,

Representative, 18th district, comprising  
Multnomah county.

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(From Oregon Laws, 1920)

Sec. 9737. That before any county clerk in this state shall issue a marriage license the applicant therefor shall file with the clerk from whom such license is sought, a certificate from a physician duly authorized to practice medicine within the state, made under oath, within ten days from the date of filing the same, showing that the male person thus seeking to enter the marriage relation is free from contagious or infectious venereal disease.

Sec. 9738. Any physician who shall knowingly and wilfully make any false statement in any certificate issued, as herein provided, shall be punished by a revocation of his license to practice his profession within the state.

Sec. 9739. All fees and charges of any physician making the necessary examination of and issuing the necessary certificate to any one party, as herein providing, shall not exceed the sum of two and one half dollars.

Sec. 9740. The county physician of the several counties shall, upon request, make the necessary examination and issue such certificate, if the same can properly be issued, without charge to the applicant, if indigent.

(Passed in 1913)

### General Laws of Oregon, 1921—Chapter 184

(Senate Bill No. 174, Thirty-first Legislative Assembly)

#### An Act

Providing for the examination of all applicants for marriage license as to the health, in regard to contagious or communicable venereal disease, and mental fitness of such applicants to enter into a marriage contract, and providing that no license shall issue to persons physically and mentally subnormal except after one or both of said applicants shall have been rendered sterile, and providing that this bill shall be referred to the voters of the state of Oregon at the next general election.

Be it enacted by the People of the State of Oregon:

Section 1. That from and after the passage of this act it shall be unlaw-

ful for the county clerk of any court in the state of Oregon to issue a marriage license to any person or persons applying for the same until after such applicants shall have submitted to and passed an examination by a regularly licensed physician, competent to examine such applicants, as to their health, in regard to contagious or communicable venereal disease, and mentality, as shown by the physician's certificate presented to the county clerk. Should one or both of such applicants fail to pass the health and mental test, then they shall not be permitted to marry unless one or both are rendered sterile.

Section 2. The physician's certificate herein provided for shall be made under oath, and in addition to containing a statement as to the mental qualifications of the applicants for marriage license, the said certificate shall show on its face the educational qualifications of the physician making such certificate.

Section 3. Any person applying for a marriage license and fail on account of health, in regard to contagious or communicable venereal disease or mentality, who shall feel that the examination was unjust shall have the right to appeal from the order of the county clerk to the county court, which said court shall cause a re-examination of said applicant to be made by three competent physicians to be selected by said court, and said county court shall make and file with the county clerk a statement of the findings of such physicians as to the mental and physical fitness of said applicants, and this shall be final.

Section 4. This act shall be referred to the legal voters of the state of Oregon at the next general election and the secretary of state is hereby directed to place this same upon the ballot to be used at such election and to set aside two pages in the official pamphlet for argument in favor of the act, and that the president of the senate is hereby directed to select one member from the senate, and the speaker of the house is hereby directed to select two members from the house to form a committee of three to prepare an argument in favor of the bill to be printed in the official pamphlet.

Filed in the office of the secretary of state February 23, 1921.

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Letter sent to the members of the Oregon Legislature, 1921, by Dr. Owens-Adair.

Salem, Oregon, Jan. 27, 1921.

Gentlemen of the Legislature:

In presenting my bill for your consideration, hoping and believing you will comply with my request to refer it to the people, I take the liberty of presenting a few arguments of which you may not have thought. Anyone may learn from a child. Little things are most likely overlooked. Birth control is today the greatest question of the age, certainly the greatest question to be solved by your country.

Men of thought, men of action, stop and consider. You must realize that the life of our nation depends upon your children and the children of those like you. Men and women must be brought to the realization of this great issue. You have but to look around you to realize that the great majority of the children born are coming from the unfit—the degenerates. The contamination in their blood will go on and on for generations; the Bible says, "Yea, unto the third and fourth generations." Like the scrub animals, they are prolific, and have great tenacity of life. It is said they never die. But the farmers have laws to protect their thoroughbreds from being contaminated by scrubs. They can have the owners arrested and kill his scrubs.

I believe in birth control. Every husband and wife should have the privilege of deciding the number of children that should come into their home. Such children will be love children and will bring blessings with them. A child well born will be an asset of great worth to his country, the other a curse. When the call to arms came, your sons and the sons of other normal men rushed to its call and passed the test; the subnormal failed. The "Boobs," as the soldiers dubbed them, were allowed to go home and propagate their kind. The unfit should not be allowed to propagate. Sterilization is a simple and benign remedy. It protects humanity from the unfit, and the unfit from themselves. It will protect the unborn children upon whom we must depend for the life of our country. I said before that big crowd of physicians, in Portland, the other evening, that I believed we would have a federal law in ten years requiring a health and mental test for every adult. The Dean of the Medical College said to me, "Doctor, I will put it five years." May God grant his prophecy will come true.

I ask that you make Oregon the first state in the Union to try to protect the unborn child from a diseased body and mind.

Very sincerely yours,  
DR. OWENS-ADAIR.

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## AN APPEAL TO THE PHYSICIANS OF OREGON

By Dr. Owens-Adair (1921)

I am asking you to indorse the measure which I am hoping the Legislature will refer to the people. I know that you are the most competent of all others to judge of the value of this bill—you who are daily coming in contact with diseases and abnormalities that could be eradicated and should not be permitted to exist.

My bill provides that every person applying for a marriage license must pass an examination for health and mentality. If one or both should fail to pass, then that one or both must be rendered sterile before they are permitted to marry. There can be no reason why the feeble minded (if immuned) should not marry. They are human and should have a home if they can provide for themselves and thousands could. Sterilization prevents the propagation of the unfit. It is a benign remedy and a blessing when properly applied. It protects the unfit from themselves as well as the public at large.

I call upon all organizations whose object is for the uplift of humanity, to assist in this great movement for the protection of the unborn children upon whom we must depend for the life of our nation. I believe that within ten years we will have a federal law which will require every adult to pass a test for health and mentality. Then purification will begin—the scum and slums will soon pass and in a few years our flag will float over the greatest nation the world has ever seen.

May God help us to help ourselves for He has placed it within our power.

DR. OWENS-ADAIR,  
Marion Hotel, Salem, Oregon.

State House, Salem, Oregon, January 17, 1921.

## HYGIENIC MARRIAGE EXAMINATION

(From Oregon Voter, June 4, 1921)

The purpose of this measure is two-fold—first, educational, in that the requirement for a mental and physical examination by both sexes as a condition for applying for a marriage license would impress the applicants with the solemnity and responsibility of the marriage relation; second, that enforcement of the law would result in causing many sub-normal or venereally diseased persons to submit to sterilization in order to become married, and thus they would be divested of their power to reproduce their kind as a burden upon society. It is admitted that the measure will not be enforced with ideal perfection, as if one physician denies a certificate of mental and physical fitness for a license, another more compliant physician often will be found who will issue the certificate; also that many applicants, rather than submit to a physical or mental examination, will betake themselves across the state line in order to be married. Yet in spite of this it is urged that the very fact that an examination must be conducted as a condition of marriage in Oregon will so impress itself upon applicants that they will give thought to their fitness and the responsibilities entailed upon them, and that one or the other party may be so impressed by a desire to evade the law that he or she may be spared the hideous mistake of entering into the marriage relationship with a person who feels unfitness to the extent of desiring to evade the law.

The sterilization feature is emphasized as a provision that opens the way for decent marriage to unfortunates or afflicted persons who otherwise should not under any circumstances be permitted to wed. Sterilization as applied by a very simple minor operation does not rob the subject of any of the physical enjoyments of the marriage relationship, but simply makes parenthood impossible, thus preventing the production of subnormals and diseased progeny. It is admitted that the greater proportion of the inmates of our penal and eleemosynary institutions are sub-normal mentally, and that they inherited their lack of mental development from parents who were similarly afflicted. The medical profession is united in its verdict that such is the fact, and abundant statistical verification of the theory has been developed. This measure is regarded as just one more step, and not a radical step, towards the abatement of production of subnormals and venereally diseased offspring.

The main argument against the measure is that it imposes too great a shock upon the modesty of an innocent woman to require her to submit to a physical examination as a condition of applying for a marriage license. It is also urged that the law will be evaded flagrantly, as outlined above, and that it is a mistake to enact one more law with the knowledge in advance that it will be evaded so generally. Some religious sects object strenuously to the bill because of its sterilization feature, holding it to be an offense to the Almighty to rob any of his creatures of the power to reproduce. By other sects it is alleged to be an unconscionable invasion of personal rights to subject any man or woman to any medical examination as a condition to the exercise of any right, either that of entering into marriage or of any nature.



## The Vote on the Marriage Law by Counties—1921

County	Yes	No	Per Cent Yes
Baker .....	987	1,488	39.9
Benton .....	1,362*	1,047	56.5
Clackamas .....	2,542	3,469	42.3
Clatsop .....	1,087	1,606	40.4
Columbia .....	675	972	41.0
Coos .....	1,793*	1,606	52.8
Crook .....	273	279	49.9
Curry .....	374*	280	57.2
Deschutes .....	1,046*	1,023	50.6
Douglas .....	2,917*	2,353	55.4
Gilliam .....	309	353	46.7
Grant .....	617	875	41.4
Harney .....	408*	324	55.7
Hood River .....	1,066*	1,007	51.4
Jackson .....	1,743*	1,461	54.4
Jefferson .....	238	270	46.8
Josephine .....	622	763	44.9
Klamath .....	1,197*	666	64.3
Lake .....	300*	280	51.8
Lane .....	4,515*	3,392	57.1
Lincoln .....	736	892	45.2
Linn .....	1,645	2,726	37.6
Malheur .....	652*	601	52.0
Marion .....	3,840	4,486	46.1
Morrow .....	336	399	45.7
Multnomah .....	14,306	20,126	41.6
Polk .....	1,064	1,590	40.1
Sherman .....	319*	295	52.0
Tillamook .....	631	667	48.6
Umatilla .....	1,476	1,985	42.6
Union .....	1,174	1,423	45.2
Wallowa .....	701*	644	52.1
Wasco .....	1,910*	1,635	53.9
Washington .....	1,597	2,332	40.6
Wheeler .....	377*	341	52.5
Yamhill .....	2,023	2,137	48.6
Total .....	56,858	65,793	46.4

\*Majority Yes.

## NORTH DAKOTA HYGIENIC MARRIAGE LAW

(From Compiled Laws of North Dakota, 1913)

Sec. 4373. No woman under the age of 45 years, or man of any age, except he marry a woman over the age of 45 years, either of whom is a common drunkard, habitual criminal, epileptic, imbecile, feeble-minded person, idiot or insane person, or person who has theretofore been afflicted with hereditary insanity, or is afflicted with pulmonary tuberculosis in its advanced stages, or any contagious venereal disease, shall hereafter intermarry or marry any other person within this state.

Sec. 4374. No clergyman or other officer authorized by law to solemnize marriages within this state shall hereafter perform a marriage ceremony uniting persons in matrimony, either of whom is an epileptic, imbecile, feeble-minded person, common drunkard, insane person, habitual criminal, or person afflicted with pulmonary tuberculosis in its advanced stages, or any contagious venereal disease, unless the female party to such marriage is over the age of 45 years.

Sec. 4375. The county judge, before a marriage license is issued, shall require each applicant therefor to file in his office, upon blanks to be provided by the county for that purpose, an affidavit of at least one duly licensed physician other than the person seeking the license, showing that the contracting parties are not feeble-minded persons, imbeciles, epileptics, insane persons, common drunkards, or persons afflicted with pulmonary tuberculosis in its advanced stages, provided that, in addition, the affidavit as to the male contracting party shall show that such male is not afflicted with any contagious venereal disease. He shall also require an affidavit of some disinterested, credible person showing that said persons are not habitual criminals (remainder of this clause concerns age of parties.)

Anyone knowingly swearing falsely to the statements contained in the affidavit mentioned in this act shall be deemed guilty of perjury and punished as provided by laws of North Dakota.

Sec. 4376. A license to marry shall not be issued to one under the influence of intoxicating liquor at the time of making application for license, and no marriage. . . .

Sec. 4377. For making an examination of either of the contracting parties to a marriage, and the affidavit required in this act, a physician may charge a fee of not to exceed two dollars.

Sec. 4378. Any person violating any of the provisions of this article or any person knowingly swearing falsely to any of the statements contained in the affidavits mentioned in this act, shall be punished by a fine of not less than fifty or more than five hundred dollars or by imprisonment in the county jail not over thirty days or by both such fine and imprisonment.

## WISCONSIN HYGIENIC MARRIAGE LAW

(From Wisconsin Statutes, 1915)

Sec. 2339m. 1. All male persons making application for license to marry shall at any time within fifteen days prior to such application be examined as to the existence or nonexistence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to present and file with such county

clerk a certificate setting forth that such person is free from venereal diseases so nearly as can be determined by a thorough examination and by the application of the recognized clinical and laboratory tests of scientific search, when, in the discretion of the examining physician, such clinical and laboratory tests are necessary. When a microscopical examination for gonococci is required such examination shall, upon the request of any physician in the state, be made by the state laboratory of hygiene free of charge.

The Wassermann test for syphilis when required shall, upon application, be made by the Psychiatric Institute of Mendota free of charge. Such certificate shall be made by a licensed physician, shall be filed with the application for license to marry, and shall read as follows, to-wit:

I, \_\_\_\_\_, being a legally licensed physician, do certify that I  
(Name of physician)

have this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, made a thorough examination of \_\_\_\_\_ and believe him to be free from all  
(Name of person)  
venereal diseases.

\_\_\_\_\_  
(Signature of physician)

2. Such examiners shall be physicians duly licensed to practice in this State. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed two dollars. The county or asylum physician of any county shall, upon request, make the necessary examination and issue such certificate, if the same can be properly issued, without charge to the applicant, if such applicant be indigent.

3. Any county clerk who shall unlawfully issue a license to marry to any person who fails to present and file the certificate provided by subsection 1 of this section, or any party or parties having knowledge of any matter relating or pertaining to the examination of any applicant for license to marry, who shall disclose the same, or any portion thereof, except as may be required by law, shall upon proof thereof be punished by a fine of not more than one hundred dollars or by imprisonment not more than six months.

4. Any physician who shall knowingly and willfully make any false statement in the certificate provided for in subsection one of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment not more than six months.

#### DECISION OF WISCONSIN SUPREME COURT \*

(Peterson vs. Widule (157 Wis. 641 52 L. R. A. N. S. 778))

It (the eugenic marriage law) was held unconstitutional by the trial court (Circuit Court of Milwaukee County) because (1) It is an unreasonable restriction upon the inalienable right of marriage. (2) It impairs the inherent right to enjoy life, liberty and the pursuit of happiness. (3) It interferes with religious freedom. . . .

Before taking up for discussion the specific objections to the law, some general fundamental propositions, which are not open to question may profitably be stated.

The power of the state to control and regulate by reasonable laws the marriage relation, and to prevent the contracting of marriage by persons afflicted with loathsome or hereditary diseases, which are liable either to be transmitted to the spouse or inherited by the offspring, or both, must on principle be regarded as undeniable. To state the proposition is to establish it. Society has a right to protect itself from extinction and its members from a fate worse than death. . . .

When the legislature passes a constitutional law that law establishes public policy upon the subjects covered by it and that policy is not open to question by the courts.

The courts must sustain a law unless its unconstitutionality be beyond a reasonable doubt. If the law be ambiguous or open to two constructions, that construction which will save it from condemnation and accomplish the legislative purpose is always to be adopted in preference to a construction which makes it unconstitutional.

## CHAPTER XI.

### CLIPPINGS AND LETTERS ABOUT THE OREGON HYGIENIC MARRIAGE BILL OF 1921

The following newspaper clippings about the Marriage bill will tell the story of the lost battle of 1921.

#### SEX EQUALITY PROPOSED

##### Dr. Owens-Adair Would Further Amend Marriage Laws

(Oregonian, Nov. 19, 1920)

Astoria, Ore., Nov. 19.—(Special)—Dr. Owens-Adair of Clatsop county, author of Oregon's sterilization law relating to defectives, enacted in 1917 after having once been vetoed and referred to the people, said today that at the forthcoming session of the legislature she would introduce a bill to amend the marriage laws in Oregon so as to make it obligatory on women as well as men to pass satisfactory medical examinations before obtaining licenses to wed. The existing law applies to men only.

Dr. Owens-Adair also said she expected to have a measure introduced requiring all applicants for marriage licenses to pass a mentality test in addition to the physical test.

She declared she could see nothing wrong in the intermarriage of feeble-minded persons, provided they are rendered sterile first. "The feeble-minded are human," said Dr. Owens-Adair, "and have a right to a home and love."

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#### MENTAL EXAMINATION FOR MARRIAGE TO BE PROPOSED AT SESSION

(Salem Statesman, Jan. 9, 1921)

In less than 10 years there will be a federal statute requiring every man and woman who apply for a marriage license to submit to careful mental tests. If they cannot pass, then the sterilization law, also to be a federal act, will be applied.

This is the prediction of Dr. B. A. Owens-Adair, who will begin activity to that end in the Oregon legislature which meets Monday. She will have introduced at the session an amendment to the present Oregon law requiring physical examinations of all men applying for marriage licenses, the amendment to provide in Oregon the requirements which later she says will become

national law. She wants the measure referred to the people for the judgment of the electorate.

Dr. Owens-Adair is in Salem. She is the parent of the present law requiring physical examination of men before marriage and also of the sterilization law.

The sterilization law, says the doctor, is just a wedge to things to come. She points to the tremendous excess in propagation of mental defectives over the normal class, and the greater tenacity to life of the former. This tendency she declares, must be stopped, lest it imperil the nation. Dr. Owens-Adair is an ardent admirer of thoroughbred livestock, but sees greater importance in the propagation of clean-blooded and sound minded human beings.

Her long fight to get the present hygienic laws on the statute books, the doctor declares, has resulted in wide enlightenment of the people on questions of this character.

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### DOCTORS ASKED TO BACK CLEAN MARRIAGE BILLS

(Salem Statesman, Jan. 18, 1921)

Dr. Owens-Adair, author of the proposal to require mental and physical examinations for both men and women as a prerequisite to marriage in Oregon and the sterilization of persons failing to pass the tests required before they are allowed to marry, has addressed an appeal to the physicians of the state to back the bill in the legislature and to aid in educating the public regarding the provisions of the bill when it comes before the voters, through referendum, for decision.

The measures proposed by Dr. Adair were endorsed by the Yamhill-Polk-Marion Medical association at its regular meeting here last night.

Dr. Adair's appeal to the physicians is as follows:

"I am asking you to indorse the measure which I am hoping the legislature will refer to the people. I know that you are the most competent of all others to judge of the value of this bill—you who are daily coming in contact with diseases and abnormalities that could be eradicated and should not be permitted to exist.

"My bill provides that every person applying for a marriage license must pass an examination for health and mentality. If one or both should fail to pass, then that one or both must be rendered sterile before they are permitted to marry. There can be no reason why the feeble minded (if immuned) should not marry. They are human and should have a home if they can provide for themselves and thousands could. Sterilization prevents the propagation of the unfit. It is a benign remedy and a blessing when properly applied. It protects the unfit from themselves as well as the public at large.

"I call upon all organizations whose object is for the uplift of humanity, to assist in this great movement for the protection of the unborn children upon whom we must depend for the life of our nation. I believe that within ten years we will have a federal law which will require every adult to pass a test for health and mentality. Then purification will begin—the scum and slums will soon pass and in a few years our flag will float over the greatest nation the world has ever seen.

"May God help us to help ourselves for He has placed it within our power."

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### FOR SUPERIOR MENTALITY

(Oregon Statesman, Jan. 25, 1921)

Editor Statesman:

I am here and ready with two bills which I would present to the legislature for consideration.

In explanation will say that the first measure is to ask for an amendment to our present marriage law which requires the men to pass a health test. I am asking that the women be required to take the same examination for health that the men are required to take. This is only just and right.

Second. I am having a bill prepared which I hope the members of the legislature will consider is not only proper but of great value to the life of our nation, and will therefore recommend it as a referred measure to go before the people at our next general election. If this bill becomes a law, it will provide that both parties must pass an examination for health and mentality as well. If one or both fail in the mental test, that one or both must be rendered sterile before they are allowed to marry. I believe the feeble-minded should be allowed to marry provided they are rendered sterile. They are human and are entitled to home and love. I am an American. I believe the ballot should be placed in the hands of the people. This is a vital question which the people should understand, and if it goes to them as a referred measure, they will have an opportunity to study and understand it. This birth question is the great question of the age. Look at Germany, said to have had the greatest birth rate in the world, now stripped of her youth, manhood and brain.

But we need not go from home to look for trouble. Ask any normal man or woman: "How many children have you?" None, one, two, perhaps three; seldom more. Turn to the feeble-minded; five, ten, fifteen. Then take an inventory of the state wards. Add to this all of the terrible things that are being enacted daily throughout our nation, 95 per cent of which comes from perverts. It will not require a mathematician long to tell where we are drifting. The people are waking up to this dreadful condition. I prophesy that in less than ten years we will have a federal law requiring every man and woman of adult age to come under a mental test. No nation has survived, or ever can survive without superior mentality.

DR. OWENS-ADAIR.

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### WASSERMANN TEST IS PROPOSED FOR BOTH PARTIES TO WEDDING

(Oregonian, Jan. 25, 1921)

State House, Salem, Jan. 25.—The Wasserman test for both male and female applicants for marriage licenses, and a fee of \$25 therefore, is provided for in an amendment proposed Monday by the health and sanitation

*Univ. Coll. Digitized by the Internet Archive*

committee to a bill introduced in the house January 10 by Mrs. William S. Kinney of Astoria. This bill provided for medical certificates for both male and female in their application for marriage certificates.

Members of the committee, which is composed of Mrs. Kinney, D. E. Fletcher of Lincoln and Polk counties, Earl E. Fisher of Washington county and W. C. Nolan and Walter G. Lynn of Multnomah county, declared their belief that if a medical certificate were required it should be of more than nominal value and that the Wassermann blood test should be applied.

In presenting this clipping I wish it to be understood that Oregon has a law requiring men to pass a health test before marrying. I asked a simple amendment to that law requiring women to pass the same test. When it went to the committee they wanted the Wassermann test. But I knew that the amendment could not pass the legislature if it provided for the Wasserman test.

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At a meeting of the Women's Marion County Republican Study Club, held February 1st, 1921, it was decided by unanimous vote that the Club go on record as heartily endorsing House Bill No. 174 (Dr. Owens-Adair.)

(Signed) MRS. C. P. BISHOP, President.

(Signed) MRS. ROSS E. MOORES, Secretary.

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### NO MARRIAGE WITHOUT THE EXAMINATIONS

**That Is Point Taken Up by Dr. Owens-Adair; Will Submit Bill to State Legislature**

(Oregon Statesman, Feb. 1921)

Dr. Owens-Adair, author of the Oregon Sterilization law relating to defectives, will introduce a bill at the next session of the legislature, which will make it mandatory on the woman as well as the man to pass a satisfactory medical examination before obtaining a license to marry. At the present time the law applies to men only.

The doctor strongly advocates the marriage of the feeble-minded, providing they are rendered sterile. She states that in this way thousands could make homes for themselves thereby relieving the state of a great responsibility. She remarked that the feeble-minded are human, and should be entitled to home and love. Dr. Owens-Adair will leave on Wednesday for California.

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### MARRIAGE TEST BILL FINDS WAY INTO BILL MILL

Certificates from duly authorized physicians giving clean bills of health to both male and female before marriage licenses can be secured in Oregon will be required in the house today by Mrs. Kinney of Clatsop county becomes a law. At present only such certificate from the male is required. The bill was introduced at request of Dr. Owens-Adair, who for several years



has been carrying on a campaign for more extensive safeguards before marriage licenses are issued in this state.

### What of the Child?

You talk of your breed of cattle,  
 And plan for a higher strain,  
 You double the feed of the pasture,  
 You heap up the measure of grain;  
 You draw on the wits of the nation  
 To better the barn and the pen,  
 But what are you doing, my brothers,  
 To better the breed of men?

You boast of your Morgans and Herefords,  
 Of the worth of a calf or a colt,  
 And scoff at the scrub and the mongrel,  
 As worthy a fool or a dolt;  
 You mention the points of your rooster,  
 But, ah, are you counting, my brothers,  
 The worth of the children of men?

You talk of your roan-colored filly,  
 Your heifer so shapely and sleek,  
 No place shall be filled in your stanchions  
 By stock that's unworthy or weak.  
 But what of the stock of your household?  
 Have they wandered beyond your ken?  
 O, what is revealed in the roundup  
 That brands the daughters of men?

And what of your boy? Have you measured  
 Does your mark as his sire, in his features,  
 Mean less than your brand on a steer?  
 Thoroughbred—that is your watchword,  
 For stable and pasture and pen;  
 But what is your word for the homestead?  
 Answer, you breeders of men?

Query: Shall we develop the steer and neglect the boy?

—Miss Page Trumbull, in *The Gideon*.

Now, are you willing to vote against the bill? If so, you are not a fit legislator. However, I can't yet think that of you, for you are here by the honest vote of the people, and it is my opinion, you have not sounded this matter to the depth of its true value. And I still have faith in you, and believe the bill will yet pass, since it has been laid upon the shelf. And right here, I want to say for the benefit of you who may be holding back for a reason that you may not care to admit, that the modern operation for sterilization does not eliminate sensuality. Ask any reputable surgeon.

If any one feels like firing back at me, come ahead. I'm not plunging into any argument, but just giving vent to my pent-up feelings of resentment that this bill failed to pass. I'm the mother of five little kiddies, and would

feel proud to have each child pass a physical test at the time of marriage, and if that bill passes, it will help the children of today to grow up fit for a physical test. And if my own failed to pass the test—well, I'd rather not be called "grandma."

ELSIE MILES ELISAMAN.

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(Capital Journal, Feb. 11, 1921)

To the Editor: Stirred to the depth of my better and innermost feelings, by the love I hold for poor humanity and the future generations who have no say in the matter of their welfare, mentally, morally, or physically—stirred to the extent of fury, insult, and indignation that our law-makers would pass up such an important bill as the "marriage test," has fired me on to write this.

Insult to Oregon women? I am an Oregon woman, and I consider it an insult the bill did not pass. Why not put Oregon on the map again for bigger and better movements? And it doesn't differ what the reflection is, so long as the movement is for bigger things than reflections.

The editorial in The Capital Journal of Wednesday, Feb. 8, hit the nail on the head, in my estimation. I am thankful we have a big and broad-minded editor with a feeling of concern in his heart for the innocent ones yet to be born, instead of false sentimental slush for those that are here, and that could not be changed by any man-made laws.

It is my opinion, that if all the Oregon women would pick up courage to express their strong feeling in this matter, it would be along the same line of thought and feeling as my own. And it is my opinion, that were it up to the Oregon women to pass the bill, it would go through quicker than it took to frame up the bill. Then, if it did not, that alone would be sufficient proof the bill should pass.

Please reflect over that, Mr. Legislator.

Do you suppose if diseased bulls and cows were running loose over Oregon, our legislators would consider it an insult to cows, to better the breed of cattle? Answer me that!

Halt, and consider this deeply, Mr. Legislator—in this bill of Mrs. Kinney's there are souls to consider. I'm enclosing a pet poem of mine entitled "What of the Child?" for the benefit of the legislators who were opposed to the passage of the bill.

ELSIE MILES ELISAMAN.

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### SILLY SENTIMENTALISM

(Capital Journal, Feb. 9, 1921)

It is hard to understand the refusal of legislators to pass proper marriage laws which will tend to check the breeding of degeneracy. The bill defeated today in the house, to amend the present law so as to provide medical examination and certificates of freedom from venereal disease for both sexes, was only an initial step in what must some day be recognized as essential program, vital to the welfare of the nation and of the race—yet it received few votes.

The excuse given by several legislators, that to compel a woman to submit to an examination as to physical fitness for matrimony is a "reflection upon American womanhood" is about as silly a bit of sickly sentimentalism

as could be put forth. It is no more a reflection upon womanhood than the law already in effect is an aspiration upon American manhood.

Facts are facts and not to be beclouded by sentiment, or concealed by folly much longer. The question cannot be dodged or evaded. One has only to take a trip to the various state institutions about Salem to see the result of ignoring physical qualifications for marriages. The defective, criminal, feeble minded and insane constituting a population of several thousands, are mostly the result of paying quixotic tribute to American manhood and womanhood, while the growing grist of our divorce courts offer further evidence of the beneficence of neglect.

The sins of the fathers and mothers, too, are still visited upon the children unto the third and fourth generation as they were in biblical times. The race cannot violate the laws of nature without paying the penalty and a clean mind and a healthy body are impossible from tainted parents. The intent of the proposed law was not to "insult" anyone, but to safeguard the rising generation and future generations of society.

The need of restrictive marriage laws is felt in every community. As an instance, since health cards were required for people handling food in Portland food establishments, many were found unfit for such work. The cases of girls examined showed 307 suffering from venereal diseases. Many of these cases submitted to treatment, others refused and are still at large polluting others, often marrying in their diseased condition. The offspring of such fill our state institutions and are a burden upon society.

As Dr. Kellogg of the Battle Creek Sanitarium once said:

"We are actually building up an aristocracy of lunatics, idiots, paupers and criminals. These unfit persons have reached the proportions of a vast multitude—500,000 lunatics; 300,000 criminals; 100,000 paupers; 90,000 idiots; 90,000 epileptics and we are supporting these defectives in idleness like real aristocrats at an expense of \$100,000,000 a year. This mighty host of moral and mental cripples is increasing due to unrestricted marriages and other degenerate influences, at a more rapid rate than the sounder parts of the population so that they are bound, in time, to constitute the majority unless some check is put upon the increase."

Yet an attempt to provide even the simplest restrictions upon marriage of the unfit is styled "an insult" to womanhood. Just why any healthy person should object to being certified to is hard to fathom—though everyone can realize the objections of the unfit.

State regulation can only partially solve the problem, for state laws can be evaded by crossing the border. But crossing the border is in itself a confession of an unfitness that the Portland divorce suits following Vancouver marriages confirm. Any Oregon girl has good reason to be suspicious of a bridegroom who evades the law, poor and ineffectual as it exists. What is needed is a federal law covering the subject or the adoption by the states of uniform marriage laws—but silly sentimentalism bars the way.

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#### AUTHOR OF EUGENIC BILL PASSED RECENTLY, SEEKS HEALTH IN BEND

(Bend Bulletin, March 4, 1921)

Dr. Owens Adair, author of the sterilization bill recently passed by the Oregon State Legislature, is in Bend seeking improved health after the strenu-

ous weeks spent at the state capitol working for the passage of the bill. She is staying at the Pilot Butte Inn.

Dr. Adair has led the movement for eugenic control in Oregon since her first bill was introduced in the legislature in 1907. The idea was considered so radical at that time that no legislator or lawyer could be induced to write it for her. She wrote it herself.

Two years later the same bill passed both houses but was vetoed by Governor Chamberlain. An attempt was made at about that time to pass a similar law in Washington.

H. J. Overturf, Bend man who attended the legislature for his first session this year, supported the bill, making a very able speech on the floor of the house in favor of its passage. The bill passed with three dissenting votes in the senate and nine in the house.

At Mrs. Adair's request the bill was passed subject to referendum vote, as she considers it too radical to become law without a popular vote.

Passage of the bill was very materially aided by the fact that a bill even more radical was passed by Washington, thus closing the Vancouver door to applicants for marriage licenses rejected in Oregon. Senators Churchill and Gallagher opposed the bill.

Dr. Adair has consecrated her life to this cause, and now says that the matter will be carried to Congress and an attempt made to secure a national law.

"Over fifty per cent of the children born are defective," said Mrs. Adair in speaking of the matter Saturday. "We pay five hundred millions annually for the support of the 'aristocrats' in the asylum, schools for feeble-minded and penitentiaries, all because we allow defective parents to bring into the world defective children."

Dr. Adair was married at the age of 14, a mother at 16 and a widow at 18. She had not learned to read or write until after that time. Since then she has graduated from several universities and medical schools.

Senate Bill 174, which is the bill introduced at the request of Dr. Adair, provides for the examination of both applicants for a marriage license, and provides that no license be issued to persons physically or mentally subnormal excepting after one or both shall be rendered sterile, and providing that the bill be referred to the voters of Oregon at the next general election.

Recourse in case of alleged injustice may be had by appealing to the county court in the county where the license was refused, the court to authorize a re-examination by three competent physicians, their finding to be final.

During her month's stay in Bend, at some convenient time she will address the people of the city on the merits of the bill which will likely be submitted to the people for a referendum vote at the next general election.

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### SPEED NEEDED TO PASS BILL

**Whirlwind Campaign Dr. Adair's Plan—Eugenic Champion Will Leave Bend Soon to Open Headquarters in Portland.**

(Bend Bulletin, March, 1921)

To conduct a whirlwind campaign for the ratification of her bill providing for physical and mental examinations as a prerequisite for marriage, Dr. Owens-Adair, who has been spending the last few weeks in Bend for her health, will leave shortly for Portland to open state headquarters. Dr. Adair

had hoped for a longer period of quiet before again taking an active part in political affairs, but the ruling of Attorney General Van Winkle, placing her bill on the special election ballot in June instead of on the next general election ballot, as had been contemplated by the author of the measure, has made necessary a sudden change in her plans. Before leaving Bend, Dr. Adair is sending instructions to the voters' pamphlet committee of the legislature, relative to the arguments which she desires incorporated in the booklet relative to senate bill No. 174.

The last clause of Dr. Adair's measure, which the aged eugenic champion seeks to have accepted by the people of Oregon, provides for a referendum at the next general election. The attorney general, however, has found constitutional authority for moving the date to June of the present year, and recently wrote Dr. Adair to this effect, intimating that he would be unwilling to consider the general election for the purpose of placing the measure before the people.

Believing that her bill is several years ahead of the times, Dr. Adair considers that this ruling is a serious blow. The time left to prepare the public mind and to conduct educative work to show the true purpose of the measure, is now all too short, she declares.

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### MARRIAGE BILL WINNING FAVOR

**Club Women of Deschutes County Are Behind Eugenics Legislation Proposed  
By Dr. Owens-Adair**

(Bend Bulletin, March, 1921)

Club women throughout Deschutes county are becoming increasingly interested in the marriage bill which passed the legislature and which will be referred to the people at the coming special election, reports from various organizations show. Dr. Owens-Adair, author of the measure, who is concluding her stay in Bend this week, has spoken before practically every woman's club in the county, and has found them all anxious to support the bill and help in turning in a big Deschutes county majority for it.

Last week Dr. Adair spoke before a large audience of women at the community church in Tumalo, explaining her bill. Great interest was manifested in the measure, and when a rising vote was taken, it was found that if the ideas of the women of Tumalo are representative of those held throughout the state, the bill will pass the referendum without difficulty.

The O. D. O. club, the Tumalo Study club and the Tillicum, all of Tumalo and the vicinity, are among the organizations which will support Dr. Adair's work in the advancement of eugenics.

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### PASS TEST OR NO WEDDING BELLS IS PLAN OF DR. ADAIR

**Author of Sterilization Bill Will Frame Another Measure Against Defectives**

(Astoria Budget, Nov. 1, 1921)

Dr. Owens-Adair of Clatsop county, author of Oregon's sterilization law relating to defectives, which became a law in 1917 after having once been

vetoed and referred to the people, stated this afternoon that she will, at the forthcoming session of the Oregon legislature in January, introduce a bill having for its object amendment of the existing marriage laws in Oregon so as to make it obligatory on the woman as well as the man to pass a satisfactory medical examination before obtaining a license to wed. The existing law applies to men only.

Dr. Owens-Adair also stated that she expects to have a measure introduced at the forthcoming legislature which will require that all applicants for marriage licenses successfully pass a mentality test in addition to the physical test, before they are permitted to marry, with a proviso that if the couple fails to pass the mentality test they may only wed after being rendered sterile.

Dr. Owens-Adair stated that she has no objection to nor can she see anything wrong in the intermarriage of the feeble-minded of Oregon, provided they are rendered sterile first. "The feeble-minded are human," said Dr. Owens-Adair, "and have a right to a home and love."

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### BILL'S ADVANCE BRINGS PROTEST

**Dr. Owens-Adair is Against Change—Act for Examination Before Marriage  
Referred to People at General Election—Time for Educative  
Work Cut Short**

(Bend Bulletin, March 10, 1921)

Recent announcements that legislation to be voted on at a special June election will include senate bill No. 174, which provides for the examination of all applicants for marriage license, has brought a determined protest from Dr. Owens-Adair, author of the measure, who is making her headquarters in Bend. The fact that the bill specifically provides for a referendum vote at the general election is the basis for Dr. Adair's objection to the action of the attorney general in placing the measure on the June ballot.

The provision in question is embodied in section 4 of the bill, which says, in part: "This act shall be referred to the legal voters of the state of Oregon at the next general election, and the secretary of state is hereby directed to place this same upon the ballot to be used at such election."

Statistics pointing to a gradual drift toward degeneracy, and figures showing that six out of every 10 persons are sub-normal mentally, are being forcefully used by Dr. Adair in her campaign. "The greatest question that faces our nation today is the birth control of our degenerates," she declares.

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### WOMAN'S CLUB HEARS DR. ADAIR

**Importance of Marriage Regulations Emphasized at Tuesday Meeting**

(Bend Press, March, 1921)

The importance of the regulation of marriages, as proposed in a bill introduced by Dr. Owens-Adair in the recent legislature, and submitted by that body to a vote of the people at the special election in June, was presented to the members of the Woman's Civic League at their Tuesday meeting by the noted author of the proposed measure.

Dr. Adair is provoked that the measure has been set for the approval of the people in the June election, for she wanted it at the general election two years hence in order that some publicity might be given to the subject.

The press of the state insists on calling the measure the "Sterilization Bill," while the doctor says it is nothing of the kind. Under the text of the bill those applying for marriage certificates will be asked to submit to a medical examination for both mental and physical fitness and in case they are found deficient according to well defined tests, then they shall be sterilized before the certificate shall be granted.

Dr. Adair has thrown her entire energy into the fight and will try and organize all the Central Oregon cities before leaving for Portland where she will conduct a state-wide campaign for the measure.

Contrary to the popular opinion, Washington will cease to be a Gretna Green for those living in Oregon who wish to evade the Oregon laws, for that state has passed regulations which are even more effective than those proposed in this state.

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### SUPPORT OF COUNTY RELIED ON SAYS EUGENIC CHAMPION

(Bend Bulletin, March 12, 1921)

Firmly believing that Deschutes county will strongly support the marriage bill passed by the last legislature when it comes before the people at the special election in June, Dr. Owens-Adair, eugenics champion, left Bend this morning after a month's stay in this city. Dr. Adair's bill, which provides for physical and mental examination as a prerequisite for marriage, was intended by its author to be placed before the people at the next general election, but on the ruling of the attorney general, the measure was put on the June ballot. Dr. Adair will open campaign headquarters in Portland.

In a statement issued a short time before her departure, Dr. Adair declared that while she had come to Deschutes county in search of rest and quiet, she had received what was infinitely more valuable—the approval of the work to which she has devoted her life, the protection of the child unborn. "This means the purification of our nation, which can only come by cutting off the source of degeneracy," she pointed out.

Dr. Adair was enthusiastic over the Bend she has come to know in the last few weeks. "To me it seems you have a wonderful city," she said, "and I have never met a people who seemed more filled with more pride and love for their home town, and true regard for each other than here. This will assure the future of the city."

Rapid organization of the state, with especial reliance placed on the club-women of Oregon, is what Dr. Adair counts on to win popular endorsement of her measure, which provides for the sterilization of those desiring to marry who are found to have physical or mental infirmities which should not be passed on to posterity. She was especially pleased with the stand taken by Tumalo clubs which are ready to set aside all other work until the marriage bill has been voted on at the June election, she said.

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### MENTAL EXAMINATION AND MARRIAGE

Northman (Portland, Ore.,) March 24, 1921

Strong arguments are being brought to bear in favor of the measure mak-

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ing it incumbent upon all persons in securing a marriage license to undergo mental and physical examination, but, as usual, the first consideration is financial.

The annual cost of operating the several institutions is set forth as follows: Feeble-minded home, \$150,000; state hospital, \$465,000; Eastern Oregon state hospital, \$135,000; industrial school for girls, \$25,000; state training school for boys, \$60,000; penitentiary, \$150,000, and the inference is that very much, if not all, this would be saved to the state through the adoption of the measure to be voted on June 7.

### STERILIZATION BILL OPPOSED

#### Argument Based on a Consideration of Personal and Constitutional Rights

(Oregon Journal, March 28, 1921)

Portland, March 28.—To the Editor of The Journal—I have filed with the secretary of state an argument against the proposed sterilization measure to be submitted to the people, claiming the right of publication in the Voters' Pamphlet on equal terms with the argument of the proponents of the measure. This argument is in part as follows:

For some 10 years past Oregon has been pestered with the activities of a cult of faddists who have sought to interpose their own wisdom in such matters as "birth control," "sex control" and "eugenics," their name for "select breeding" of mankind (meaning "of noble birth"). They have met with some slight success in planting their ideas, except as to "sex control."

A bill was offered the legislature providing that no marriage licenses should issue to applicants until they passed a "health and mentality test," or were sterilized. \* \* \*

A sterilization act passed by the legislature some eight years ago was killed by a referendum. Not satisfied by the common-sense decision of the people, apparently having no faith in majority rule, the eugenists again appealed to the legislature, which passed in 1917 a comprehensive "eugenist law" providing a board with powers to establish a test and to report on cases not only in the state institutions but anywhere in the state. They have power to forcibly apply sterilization or emasculation on anyone in the state falling short of their standard, but outside of the institutions have not dared to exercise their compulsory powers. Now they come to us again with an effort to avoid this difficulty by inducing candidates for marriage to submit to the operation under penalty of refusing them a license, and try to impose it upon an unwary public by appointing a committee to write an affirmative argument, and set apart two pages of the state pamphlet for the same, while the negative are not notified and must pay for their space as well as their pro rata of the public cost of the affirmative. This is characteristic of their selfish egoism, arrogating to themselves a monopoly in behalf of their notions.

The United States constitution forbids any state to pass laws abridging the privileges and immunities of a citizen, or denying any the equal protection of the laws. The act in making "sterilization" a prerequisite to marriage is in contravention of the divorce laws which make "impotency" a cause for divorce. "Sterility" is the essential factor of "impotency." Legal definition makes them synonymous. \* \* \*

Advocates of the act claim we should apply the same care and methods to the upbreeding of the race that we do to animals. They forget that the



human essential, differentiating it from the animal, is the spiritual energy or character. Breeding for points in animal flesh is a much less complex matter. The requisite simple treatments in the latter field would be destructive to the "morale" of the human. Disease is the natural punishment for error or immorality. Nature draws those limits which are probably the most fitting, and cures in her own way by making health and morality attractive and immorality and disease disgusting. Mankind, in the struggle against its errors and defects, builds character and spiritual energy in a far more effective way than the short cuts proposed by our legislative friends. Even among animals, the domestic breed of the species could not hold their own against the wild of the same species. Much less can the natural law of the survival of the fittest be replaced by such artificial methods among mankind. It was natural processes in the great dramatic struggle of the race which produced a Socrates, a Pascal, a Lincoln.

The act fixes no fee for the doctor's examination, but as it is "no certificate, no license," the applicant would have to pay it, probably one prescribed by the board of eugenics and the State Medical association. The examination if the law became more than a farce, would be so comprehensive that the doctors would want not less than \$25 each, which would probably only result in driving applicants to other states to marry.

J. B. ZIEGLER, M. D.,

Representing some opponents to this act.

### GREAT QUESTION OF THE AGE

Portland, April 8.—To the Editor of The Journal—In reply to Dr. J. B. Ziegler's article in last Sunday's Journal opposing bill 174, Dr. Carlisle in his recent survey under the auspices of the University of Oregon reports 65,000 defectives in Oregon. What shall we do with them? The new patriots say "stop their increase," but J. B. Ziegler, M. D., is out with a long letter against my marriage bill 174. I will ask that Dr. Ziegler tell us of a better plan to control that great army of 65,000 plus many thousands that might be added. Now, Doctor, why did you say that for 10 years Oregon has been pestered with a cult of faddists who have sought to interpose their wisdom of birth control, and why did you not say that woman, Dr. Owens-Adair—for I am the guilty party? Yes, I will say, and thousands will say with me on June 7 by their votes, that the birth control of this great army of subnormal and degenerates is the greatest question of the age, for it means life or death for our nation.

DR. OWENS-ADAIR.

### A MILLION A YEAR

(Oregon Journal, April 29, 1921)

There are 29,847 persons in Oregon classified as mental defectives, delinquents or dependents, according to the recent survey ordered by the Oregon legislature.

In other words, nearly 4 per cent of Oregon's population is subnormal. Counting the insane and mental defectives only, of which we have 7686, this gives us a ratio of almost 10 per 1000 of population.

A bill on the June ballot is designed to prevent the further building up of

the state's population of lunatics, idiots, paupers and criminals. It has long been recognized that on account of unrestricted marriages we are increasing at an alarming rate our population of moral and mental cripples. It is a well known fact that most of our mental defectives have inherited their weakness. Feeble minded persons, on account of their inability to earn their own living, and because they are unable to distinguish right from wrong, are almost without exception a burden to the taxpayers of the state. Dr. J. N. Smith, superintendent of the Oregon state institution for feeble minded, says that a large percentage of our insanity, delinquency and pauperism can be traced directly to the feeble mindedness of the parents.

That some check is needed on the indiscriminate marriages of mental and moral defectives is proven by the enormous sums that the taxpayers are called upon to pay each year toward the support of the various institutions for our sub-normal population.

The feeble minded school costs \$150,000 a year; it costs \$465,000 to run the state insane asylum; while the insane asylum in Eastern Oregon requires \$135,000. The industrial school for girls costs the taxpayers \$25,000, while the boys' training school costs \$60,000. The penitentiary dips into the pockets of the taxpayers to the extent of \$150,000 yearly.

There are many incidental expenses which bring the total to more than one million dollars a year for the support of our delinquents and defectives. Dr. J. N. Smith, who has made an exhaustive study of the subject, says:

Several states have laws forbidding the marriage of defectives unless they are sterilized. Senate bill 174, which is to be voted upon in the June election, is an extension of our present law to include females as well as males in the examination for marriage.

Dr. Owens-Adair's marriage bill, if it is passed, will check the rapid increase of defectives and delinquents, and in time reduce the increasing burden that the taxpayers are called upon to pay for the support of children who are brought into the world without any chance to live normal, happy lives.

## THE FITTEST SHALL LIVE, BUT FITTEST WILL DIE SHOULD THEY CEASE TO CONTINUE FIT

(Portland News, May, 1921)

Editor The News—Sir: The first law of nature is that the fittest survive. When we come to the crown and flower of nature, Man, the same law prevails—the fittest survive.

The Man only among the living creatures of the earth has the power to determine the conditions which surround him. He may make his environments those fit for great men and women, for a great people, or he may allow it to remain, or to lapse into an environment fit for human beasts only or even for human vermin.

In our society, the fittest will survive—the fittest for the environment we make or allow. If we let monopoly and privilege work to enslave the masses, the people who survive will be those who are fitted for enslavement. If we build up a society in which all the higher qualities of the human race can flower out, in which the economic life will be lifted to a high plane, in which labor will be only a means through which the physical life shall be supported as the foundation for a great spiritual and intellectual life, then the fittest for enlightenment and for the exercise of the powers of the brain and soul will survive.

The world has seen many great empires made up of swarming peoples whose only fitness for survival lay in their powers of multiplication. It has seen others which have waned because the people worked so engrossingly on civilization that they could not save themselves from engulfment by the millions of their competitors who lived on the lower plane. Blights and infections are living things which prove themselves fittest to survive when they destroy higher organisms.

The fittest human beings will survive—fittest for the environment. What that environment shall be is society's business. And the life of society depends on how it discharges it.

D. K. B.

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### BETTER CHILDREN IS SLOGAN OF BACKERS OF MARRIAGE TESTS

(Capital Journal, May, 1921)

"Better children," instead of "more children," is to be the slogan under which advocates of mental and physical examinations for both parties to a marriage contract will urge adoption of the referred measure fathered by Dr. Owens-Adair and passed by the last legislature and which is up for a vote by the people at the forthcoming special election. At least this is the keynote to the affirmative argument filed with the secretary of state by the legislative committee named to prepare an argument in favor of this measure for publication in the official voters' pamphlet. The argument is signed by Senator J. C. Smith, and Representatives Mrs. W. S. Kinney and W. C. North.

#### Subnormal Most Prolific

"The menace to our system of government by the great proportionate number of people that are below normal mentality as shown by the surveys made in the different sections of our country cannot much longer be overlooked," the argument recites. "It is a well established fact that a large majority of our large families occur among the subnormal, and the surveys show that in most families of six children or more, one or both of the parents can be classed as feeble-minded. And it is these children that are filling our penal and eleemosynary institutions.

"The families of our higher grade of people are becoming smaller and smaller, and it is only a question of a very few years until our government will be in the hands of those unfit to administer it.

#### Measure Provides Remedy

"The aim of Senate Bill No. 174 is to limit the families of those unfit to meet the complex conditions of our civilization in a way that would work the least hardship on them to enjoy all the privileges and pleasures of life, while preventing them from bringing into the world children that would only be a burden and expense to the country.

"Every child is entitled to be well born and have an equal chance and opportunity to make the best of life. It should be 'better children' instead of 'more children' the aim we should seek."

**WEDDING TEST BILL IS STEP IN RIGHT PATH**

(Astoria Budget, May 12, 1921)

That if he votes at the forthcoming special election in favor of the health and mentality test law of which Dr. Owens-Adair is the author, it will be because he considers the measure a step in the right direction rather than believing it will accomplish all it sets out to do, was the statement made before the Kiwanis Club members during the weekly luncheon of that organization today noon by Rev. Aaron A. Heist, pastor of the First Methodist church.

The statement was made during the discussion which followed a lengthy address by Dr. Owens-Adair who explained the object and purposes of her health and mentality test law applying to persons seeking marriage licenses, which will be submitted to the voters at the special election next month for approval or rejection.

**No Standard Test Provided**

Rev. Heist contended that the measure as it now stands provides no standard for either the mental or physical test, which it should contain to accomplish the purposes of the act. He also stated that the present law which requires the man seeking a marriage license to pass a physical examination and does not exact the same requirements on the part of the woman is more or less of a dead letter law; that no physical test is effective in such cases unless it be a Wasserman test or a microscopical one.

**Admits Bill Not Perfect**

Dr. Adair admitted that the law was not perfect but urged upon her hearers that the main thing was to have the law enacted and then amend it later if necessary. She admitted that it was not perfect and added that as far as a Wasserman test being included in the bill, it would never have been possible to get the bill through the legislature with such a test included in the bill.

Dr. Owens-Adair explained the actual operation of sterilization, an operation which she said had been successfully performed many times without injury to the party undergoing it, the operation preventing the raising of defective children.

The speaker cited statistics to show the enormous amount of money the people are compelled to pay in taxes which raise funds for caring for the mental and other defectives of the state; stated that in Oregon alone a recent survey showed there were 75,000 such people in the state. She contended that the passage of her measure would reduce crime, degeneracy and insanity besides making for a super-race of men and women.

**City Health Officer Speaks**

Dr. Vernon, city health officer, also spoke briefly during the discussion following Dr. Owens-Adair's address. She admitted that the present law relating to the physical examination of men should also be applied to women before a marriage license is granted, but could not agree with Rev. Heist that the present law was completely a failure and devoid of some good.

## SUPPORT THE MARRIAGE BILL

(Astorian, May 12th, 1921)

Heaven be praised for the reformatory efforts of such benefactors as Dr. Owens-Adair, supporter of the "marriage bill," for the improvement of the race, to be voted on at the election of June 7.

For years this noble citizen has been striving mightily to rouse the somnolent and thoughtless public to combat the seven devils of evil and misfortune, chief of which is, perhaps, the marriage of the unfit and their defective progeny.

Until society stops the reproduction of the degenerate and the feeble-minded, the positive forces of progress will strive in vain, for these human by-products are incapable of improvement or reform.

America, by passing and enforcing the necessary laws, required by every sentiment of humanity and by all intelligent research and experience, can produce within three or four generations a race of supermen, indeed, so superior mentally, spiritually and physically that the average man of today, would appear as a pigmy.

Upon this kind of progress America's best thinkers are resolved. May heaven speed the day when the mating of the unfit and the feeble-minded will be prohibited under severe penalties in every state; when men will give at least as much care to the improvement of the human species as they do to the breeding of commercial livestock.

This need is basic, fundamental, and absolutely vital in racial and national economics. It has received little or no attention until now.

Only a few brave and intelligent souls like Dr. Owens-Adair have warned the country of its danger and pointed a way to salvation.

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FROM THE PEOPLE

(Astoria Budget, May 13, 1921)

The Editor of The Budget: I have read your good reports of my brief address and thank you. In reply to Rev. Heist's statement that my bill has no physical or mental test, I will respectfully say that those subjects were discussed when the bill was being framed. Every physician is supposed to be competent to determine between health and disease, and they have standards by which they are governed. The same holds good with the mental examination. The credentials should show his ability. "Why should the bill be burdened with this?" a wise attorney said, "leave all this out. The courts can always be called upon if necessary."

I take issue with Rev. Heist, as did my friend Dr. Vernon, that the present marriage law is a dead letter. It has been a great educator in the right direction.

There are some dishonorable physicians. I believe that doctors will average up with any class of men. No one more than I regrets that women were not included in the present marriage law, though it does not have the Wasserman test. I had an amendment to that law, asking that women be included in the examination. It went to the committee, but the committee would not indorse it without a Wasserman test. So it was lost. I wish to have it distinctly understood that I believe in the Wasserman test, but I know that where you can not get the best, you had better take the less. The hygienic marriage

bill is not a perfect bill. But it has stirred up Oregon. It passed the house on February 18. It has reached New York and Chicago. Newspapers and magazines are discussing it. From now on people of all classes will be discussing it, and when they see that Dr. Carlisle U. S. P. H. S. has made a report of 65,000 degenerates in Oregon and that Dr. Viets, the New York expert on insanity, claims there are 75,000 in Oregon, then people will stop and think. And when the American people begin to think, they will act. The scientists have been telling us for 25 years of this destructive element and warning us against it. But the only remedy so far to my knowledge has been education and religious training. I repeat that birth control of the degenerate is the greatest problem that our country has to face. It means life or death to our nation. I believe I am the first to advocate the radical remedy of stopping this source of propagation of the unfit. If this remedy was applied, the state wards would be greatly reduced in number, and the cost of the people in taxes would never again reach the present cost of figures.

Charities and corrections in Oregon this year cost \$3,528,965, an increase over last year \$887,107. I hope the people will make Senate Bill 174 a law. Then Oregon will ask the United States for a law which will make us the greatest nation in the world.

DR. OWENS-ADAIR

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### FROM THE PEOPLE

(Astoria Budget, May 14, 1921)

To the Editor: I note in the "Oregon Voter" of April 16th that the legislature made direct appropriations of over \$7,000,000 and that of this amount, operating expenses for charities and correction coupled with outlay, receives nearly half and that the net increase over last session is nearly \$900,000. This is the price we pay in Oregon for the upkeep of the insane and feeble minded.

I find since 1916 my taxes have increased over 100 per cent. How about yours?

Both from an economic and sociological standpoint and in the interests of the people in your community, I would thank you to read the enclosed argument in favor of S. B. 174. If we stop the source of supply, our tax expense along this line would decrease in the same proportion as it is now increasing.

If you have been informed as to the result that would physically accrue to a person coming under this law, let me assure you that it is a simple operation that takes nothing from a person except the power of reproduction. This law would allow feeble-minded to marry if made sterile, for they are entitled to home and love.

Last week the papers carried stories about a Washington state sire valued at over \$100,000 and a Willamette valley cow worth \$15,000 dying. The valuations were made by breeding. The poor scrub bull and the boarding cow are practically eliminated in the northwest, but we sent our best blood to lie under the poppy-spread fields of France and left the unfit mentally and physically at home to propagate and increase your tax and mine, and no thought given as to results except to groan at the expense created.

I hope you can give some space to this matter in your columns. If there is any question you desire to ask along any lines whatever appertaining to this bill, kindly command me. Yours very truly,

DR. OWENS-ADAIR.

**DR. FULTON OPPOSES HYGIENE MEASURE****Declares That Marriage Bill Is Farce; Danger Ahead**

(Astorian, May 20, 1921)

Editor Morning Astorian: In the opinion of the writer the above named bill which we are called upon to accept or reject one week from today is a useless, vicious and farcial bill.

Sentiment oftentimes leads one to vote for a measure which a calm judgment would prevent. The crank in advocating his favorite measures is likely to advance some very appealing argument, which, however, later is shown to be mere theory and impractical. Oregon has already too many freak bills written upon our statute books.

The existing law compelling the prospective groom to furnish county clerk with a medical certificate before he may receive a license is a farce. It causes a man extra expense and trouble and accomplishes nothing of benefit to anyone excepting the doctor and notary. The examination is a farce. It proves nothing. The examination to be of any value would take a much longer time, laboratory work and a longer observation of the candidate than is ever given.

**Physician Responsible**

The measure which we are asked to support at the coming election requiring a medical certificate for both bride and groom, and giving the doctor making the examination the right and duty to decide as to the mental fitness of both or either of the candidates is a greater farce than the present law. No honorable and conscientious physician would accept the responsibility of deciding as to the mental capacity or fitness to enter into wedded life of such candidates. What is the measure of mental fitness demanded? "Everybody is crazy 'cept me and thee, and thee is a bit crazy."

Practically the proposed law is impossible. It is poor argument to say "if it does no good it at least is a start in the right direction." The author of the measure speaks of the operation for sterilization as if it is a simple affair. As a surgeon of much experience, I wish to say that the operation for sterilization may be a very grave and serious operation. A certain percentage of those operated upon die.

The time has not yet come when we may safely pass such laws as this. I trust no one will allow any sentimental feeling to lead them to vote for this measure with the idea that it is a step in the right direction. To favor it would be surely going backwards.

J. A. FULTON.

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**DR. OWENS-ADAIR IN REPLY TO DR. FULTON ON THE  
MARRIAGE BILL****To Be Voted On in Special Election Today; Vote Yes, Says the Author**

(Astorian, May 29, 1921)

Editor Morning Astorian:

Please give me space to reply to Dr. J. A. Fulton's vicious attack on

me and my hygienic marriage bill (to be voted on Tuesday). Both he and Mr. Piper (of the Portland Oregonian) seem determined to strangle my infant before its lungs have been inflated by its first cry. They say this is a useless, vicious and farcical bill. Tell us why. "Sentiment" is not going to rule this measure, my friends, but just homely common sense.

A "crank" is a very important part of most kinds of machinery, and sometimes fits in human machinery.

You say that compelling a man to get a medical certificate to get married is a farce. You had to get a certificate to practice medicine. Was that a farce? To my mind about all you have said on this subject is a farce.

I take issue with you that no honorable or conscientious physician would accept the responsibility of deciding as to mental capacity, etc. Any physician who has the knowledge would not and should not hesitate to perform that function, which would be as easy for him as for you to remove a man's finger. This new science is understood and is being used extensively, to the great benefit of mankind. Just read up, Doctor, read up, and just read over the marriage bill carefully and understandingly, and I think you will find that part is provided for. You say the proposed law is impossible. Oh, yes, that is the same old song that The Oregonian used to sing from day to day. "Never could there be a Sunday closing and never, never, could the saloons be closed."

You say the author of this measure, Dr. Owens-Adair, speaks of the operation for sterilization as a simple affair. (Note by Editor—Follows here a technical description of the simplicity and absolute harmlessness of the operation of sterilization, referring to Dr. Sharpe and other authorities).

Now, Dr. Fulton, I ask you to bring forward one case where injury has occurred from this operation for sterilization. I asked Dr. Steiner three years ago what he was doing with my law up at the insane asylum.

"Best law on the statute books, Doctor. We have attended about 80."

"Where are they?" I asked.

"Oh, all around out in the country, nearly every one taking care of themselves."

Just ask Dr. Steiner of the State hospital, and Dr. Smith of the Feeble-minded institution, and you will find that they stand firm for the bill, as well as the law.

Dr. Smith told me the other day that no one ever came there without being told of the value of the law and bill.

Now, Dr. Fulton, I wish you to understand that degeneracy is the greatest question that our country has to face. It means life or death to any nation.

This bill means to vote "yes" for the protection of the unborn child.

VOTE YES!

(Signed) DR. OWENS-ADAIR.

Yes, Dr. Fulton, I say most emphatically that sterilization is a simple and harmless operation. The operation for men is a skin operation and can be done in less than five minutes. Hundreds of men have been sterilized without the loss of blood and with a local spray of anathesia, the subject does not feel it. Simply ligate the spermatic tube (or duct). With women the Fallopian tubes are ligated, also with catgut. I have yet to hear of any bad results from this operation.



## NOT FOR BILL 174

## An Objector Relies on Present Law and Home Training

(Oregon Journal, May 19, 1921)

Hillsdale, May 19.—To the Editor of The Journal—I am not going to vote for the Owens-Adair bill for the following reasons: Instead of protecting the unborn child, as it is framed to do, I am afraid that our crop of illegitimate children will only be increased, and they are the ones who are so sadly in need of protection and care now. How many young people listen to their elders now? The people who would obey this law, if passed, are the ones who are honest with themselves and God, anyway. This bill also puts too much power in the hands of the physicians, many of whom, like others, listen to the siren voice of money. If the law would be enforced in the spirit which Dr. Owens-Adair means it to, it would certainly be a Godsend. But there is too much room for graft. I think the present sterilization law is sufficient. It is a great step forward. The rest of the reform should come from the home. No great, lasting reform can be accomplished nor exist unless it has its foundation and roots in the home.

If the mothers of today, all of them, would industriously teach their children the golden rule, and train them in the difference between right and wrong, the next generation would present a striking improvement. Instead of attending to their duties they are too busy going here and there and obtaining their rights and having a good time, because "Helen and Billy are in school now and I have so much time for myself."

Let the children be honestly and thoroughly taught and shown the causes and results of disease and immorality, the difference between right and wrong living, and the great difference between use and abuse of all human faculties and powers, and the great majority will profit by their teachings. Perhaps I should have said "all nature's wonders," in the above sentence, instead of "human," etc., as I did.

I should like to say to Dr. W. A. Turner that he has admirably stated the "mere man's" side of the question. If human beings were bred and reared as honestly and conscientiously as sheep and cattle, we should certainly have a very superior race.

I am not yet 30, and I have three small children, none of whom goes to school. One of them is of school age and I feel that I know a little bit about this home business, at last. I try to practice my own doctrines to the best of my ability, too.

JUST A WOMAN.

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MARRIAGE LAW AND DEFECTIVES

By Dr. Owens-Adair

(Spectator (Portland, Ore.,) May 21, 1921)

I was told the other day by the manager of a large club that my subject could not interest or hold an audience for more than half an hour and I couldn't expect to get more than 10 or 15 minutes' discussion. The Spectator has asked me for an article telling something about my bill. I will try to interest your readers for 10 or 15 minutes, and hope to have the opportunity of continuing the subject through discussion.

To begin, I want it distinctly understood that my present bill is not a sterilization bill, but a marriage bill. Oregon has a sterilization law, the law that I put on the books May 21, 1917. I kept that bill before the people for 10 years, but it is a law to stay. Drs. Steiner and Smith and many other doctors say it is the best law on the statute books, and why? Because it stands at the head of all humane laws as a protector and a purifier of our race. It is the most far-reaching and the most benign remedy that has ever been discovered by man. I make this assertion, and will accept discussion.

If my bill, Senate Bill 174, becomes a law by vote of the people, then all applicants for a marriage license must pass a health and mental test. In case one or both should fail, then that one or both must be rendered sterile before they can be married. Could there be anything more humanitarian than to protect them against themselves? Why should not these unfortunates be allowed to marry, if they are rendered sterile? They deserve our sympathy and protection.

Some time ago I was taken to visit one of the schools for defectives under the supervision of the public schools, also to meet with some of the principals and teachers of the public schools. As I sat by one of the teachers in her room, she said: "Do you see that fair-haired boy? He is ten years old. I tried many times to make him understand that 3 and 4 make 7. At last, I stood him up against the wall, and bumped his head 7 times. After a long time I succeeded in getting it through his head. The boy just behind him is a year older. I call him 18 because he is the eighteenth child of one family, all living, and every one feeble-minded. That boy cannot yet understand that three and four make seven."

She was not quite sure of the number of defectives in attendance at that time, but had had as high as 80 at one time in that building. And now my friends, what are you going to do about it? This young crop right in your midst with bodily health and vigor will soon be ready, and they will begin to usher in a little army of their own, and what are you going to do about that, and what are you going to do about the 65,000 defectives of whom Dr. C. L. Carlisle of the U. S. P. has furnished us with statistics. After him comes Dr. Viets, the renowned expert on the insane, who says we have 75,000 defectives in Oregon. I will ask again, what are we going to do about it? It is high time that we, the people, should begin to think, to talk and to act. What about the millions of expense assessed against people as taxes to support these defectives?

It is not a pleasant subject; but it is a vital one, and one that must be met.

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### THE MARRIAGE BILL

(Gazette Times, May 14, 1921)

One of the bills Oregon people will have to vote on June 7th relates to the physical examination of both parties to the proposed contract. Could we have such a law enacted as a federal statute it would in a generation or two wipe out a large portion of the disease, illness and misery of this country. The best we can do is to let Oregon lead the way, adopt the law and then see that its enforcement is by the letter and not a merely perfunctory matter.

Dr. H. C. Solomon of Harvard has made an exhaustive study of sex

diseases covering 555 persons in the psychopathic hospital. All of them he found afflicted with some form of paresis or syphilis of the brain or spinal cord or other serious involvement of the nervous system.

The diagnosis of late and long neglected syphilis having been made in these 555 persons, investigation was made to find out how much the disease had extended to members of their families—how much harm it had done directly to supposedly healthy innocent husbands, wives and children. The following are the conclusions:

"1. The family of the late syphilitic abounds with evidence of syphilitic damage.

"2. At least one-fifth of the family of syphilitics have one or more syphilitic members in addition to the original parent.

"3. Between one-third and one-fourth of the families of syphilitics have never given birth to a living child. This is much larger than the percentage obtained from the study of a large group of New England families taken at random, which shows that only one-tenth were childless.

"4. More than one-third of the families of syphilitics have accidents to pregnancies—namely, abortions, miscarriages or stillbirths.

"5. The birth rate in syphilitic families is 2.05 per family, whereas the birth rate in the New England families mentioned above is 3.8 per family, or almost twice as great.

"6. Two-thirds of the families show defects as to children (sterility, accidents to pregnancies and syphilitic children).

"7. Only one-third of the families show no defects as to children or Wassermann reaction in spouse.

"8. About one-fifth of the individuals show a positive Wassermann reaction; more of these are spouses than children.

"9. Between one-fourth and one-third of the spouses examined show syphilitic involvement.

"10. Between one in twelve and one in six of the children examined show syphilitic involvement.

"11. One-fifth of all children born alive in syphilitic families were dead at the time the families were examined. This does not differ materially from the general average in the community.

"12. On-fifth of the pregnancies are abortions, miscarriages or stillbirths, compared with less than one-tenth of the pregnancies in non-syphilitic families.

"13. The average pregnancies per family is 2.58, compared with 3.88, 4.43 and 5.51 in non-syphilitic families.

"14. There are 3.52 stillbirths per 100 live births in the syphilitic families, as compared with the 3.79 reported by the Massachusetts census, showing that there is no marked difference in this regard.

"15. A syphilitic is a syphilitic, whether his disease is general paresis, cerebro-spinal syphilis or visceral syphilis without involvement of the central nervous system and the problems affecting his family are the same in any case.

"The family of every syphilitic patient should be examined, irrespective of the stage of the disease or the symptomatology presented by the patient when first seen. If this is done, cases of conjugal and congenital syphilis will be discovered which would otherwise be neglected.

"They will often be found at a period when symptoms are not active,

and thus treatment may be instituted before irreparable destruction lesions have occurred. An opportunity is offered to prevent the development of such disabling conditions as general paresis, tabes dorsalis, aneurysms and the like. The possibility of bearing healthy children may be increased.

"Every clinic dealing with syphilitic patients, whether it is primarily a syphilitic clinic, neurological clinic, a cardiac clinic of an internal medicine clinic, should be equipped with the machinery for bringing the members of the syphilitic's family to the clinic for examination."

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### THE SINS OF THE FATHERS

#### A Plea for a Measure to Prevent Their Being "Visited"

(Oregon Journal, May 27, 1921)

Portland, May 25.—To the Editor of The Journal—Regarding Dr. Owens-Adair's bill, No. 174, I hope every right thinking person will vote for it. Home training and the golden rule have not always brought desired results, even in the days of old, when rights of women, matinees, motion pictures, etc., were unknown. The halt, the lame, the blind and otherwise socially diseased persons existed. The sins of the fathers were visited unto the seventh generation. We know now what that means. I assert that every human being born has the God-given right to a perfect body and mind, the right to a clean, normal parenthood. How much better not to be born at all than to go through life with a crippled body or diseased brain, as so many of our poor unfortunates do. The Owens-Adair bill throws arms of protection around the unborn generations, the effects of which we shall see in another generation. Let us bow in honor to this noble woman and commend her farseeing vision and her unselfish work for the betterment of the human race. And as for medical men being grafters, there may be some, but everyone knows the real surgeon puts his profession first, high above any graft. The untiring and unselfish service of our surgeons during the late war will bear out the above statement. We are still living in the dark ages if we do not know or understand what bill No. 174 will mean to our human race, and in the name of humanity I hope every normal adult will vote for it.

MRS. LUDVIG SKEDSMO OLSEN.

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### A FREAK MARRIAGE BILL

(Oregonian, May 27, 1921)

Among the measures on the special election ballot is one designed to prevent the propagation of mentally or physically defective children. It aims at this happy condition by requiring that both applicants for a marriage license shall submit to a physical and mental examination and by providing that, if they fail to pass, they shall not be permitted to marry unless one or both shall be rendered sterile.

Whatever may be said of the principle seemingly declared by this mea-

sure, a study of it discloses that in its provisions it is absurd and bound to be ineffectual.

Marriageable mentality is not defined in the act. The test is left to the individual idea of the examining physician. The examining physician must be "competent to examine such applicants," his educational qualifications must be stated in his certificate, and the county clerk must not issue the license unless the examination has been made by a competent physician.

In short the mentality of the applicant is left to the judgment of the physician, to judge of the applicant's mentality is left to the county clerk.

Presumably if one physician decides that a high grade moron is not competent to marry, the high grade moron will be able to find another physician who will not be so particular. There are all grades of physicians. He or she may then secure a license unless the county clerk, in his superior wisdom, draws the line against physicians who think that high grade morons may safely marry.

Not only is there no test prescribed by the measure, but there is no penalty imposed upon the physician who passes a mentally deficient person. There is not, and probably there could not effectively be any provision in the law prohibiting persons denied licenses in this state from going to another state to wed. Moreover, it is sad but true that the feeble minded are generally unmoral sexually. Feeble-minded children of feeble-minded parents are often born out of wedlock. To catch the few who would desire legally to marry and bring children into the world, the bill is insufficient, but it imposes upon every normal, healthy man and every normal, healthy woman about to wed—it imposes upon the great mass of the marrying public the indelicacy, the inconvenience and the expense of a physical and mental examination.

Oregon now has an unfavorable place in divorce statistics. It is an underserved ignominy caused by an existing so-called eugenics law which drives couples about to wed to another state in large numbers. Oregon's number of divorces is consequently greatly out of proportion to the number of marriages contracted within the state. This situation is not due to the laxity of divorce laws but to the imposition of the present pre-marriage examination applying only to males.

Now it is proposed that the physical examination be required of women also, and that both men and women submit to a mental test of an undefined sort. The plain effect of this measure, if adopted, will be to drive still greater numbers to other states to wed, put a still worse light on the normal number of divorces granted and yet have virtually no effect as a preventive of marriages among those who ought not to marry.

Eugenic marriage laws can be effective only if nation-wide in scope, and plainly definitive of feeble-mindedness and physical ineligibility.

The editor of the Oregonian thought he had found many weak points in my marriage bill; said "feeble-minded" was not mentioned. Now, Mr. Editor, just consult Lippincott's New Medical Dictionary on page 351 and learn the definition of Mentality. And are you not aware that all physicians have standards, especially the psychiatrist?

## HOW MARRIAGE BILL WAS DRAWN

Evolved After Unnamed Judge Condemned Original Draft

(Oregonian, June 3, 1921)

Eugene, Or., June 1.—(To the Editor.)—Please allow me space to reply to The Oregonian's article, "Freak Marriage Bill," which everybody knows is an attempt at this hour to defeat what many writers have already said is the best and purest measure that has ever been presented. It is easy to find fault with anything you do not like and don't want. It is more easy to tear things to pieces than to mend them. Some people cannot see any good in this bill. They do not want to find it. Yet the good is there to be found and to be seen.

I have many fine editorials and communications on this bill, among which I may mention one from the Survey of New York, April 9, 1921. After addressing a large, intelligent audience of business men, a minister arose and made about the same objection that The Oregonian has made. In answer I turned to the New York editorial and read:

It is of interest that the act strikes deeper than at requiring such a mental and physical examination. The certificate of the examining physician shall not only contain a statement as to the mental qualifications of the applicants for a marriage license, but shall also show the educational qualifications of the physician himself. Further provisions are made for an appeal from the findings of the examining physician to those of three competent physicians selected by the county court.

This bill does fully provide for the protection of the applicant through the county court, that will provide three other physicians to re-examine the applicants in case of dissatisfaction. It seems that four doctors ought to be sufficient to satisfy any normal person. Some people seem to think that doctors are not only "bloodthirsty," but a money-thirsty gang. Perhaps a little sketch of this much-abused child might fit in here.

After making up my mind that I would go to the legislature with a bill, I went to Portland last November and spent a good deal of time among friends, doctors, social and hygiene associations, trying to get encouragement and help. I got no encouragement or help, and was told that education must precede legislation. All had advice to give as to how the bill must be drawn. At last it was framed up. It contained all the essentials, nothing left out.

I had been to Salem before and counseled with Dr. Smith, superintendent of the feeble minded. He said: "Doctor, when you are ready to have that bill framed up you go to Judge ———. He is your friend and he will tell you what to do." So to Salem I went and saw the judge. He gave me a kind, humane greeting and talked with me freely. He read the bill, then threw it on the table, saying: "It's not worth the paper it's written on. If you ever get that bill through, you will have to cut out all that trash and get down to as few things as possible. Leave out psychology, Wasserman tests, fees, standards and all such things that are not essential, and if at any time it is desired, it may be supplied by the county court. All such things are for the lawyers to fight over and defeat the bill for there are plenty of them up there."

I said: "Won't you draw the bill for me?"

He replied: "Oh, no, I am not allowed to. But I can get you a good lawyer."

He reached for his phone and the call was answered. I went to that attorney and we worked the bill out together.

This same outcry was kept up against my sterilization bill, which lives and

grows day by day. If The Oregonian does not succeed in strangling this newborn infant, I prophesy she will soon outstrip her elder brother, sterilization.  
DR. OWENS-ADAIR.

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### MARRIAGE LAW IS NOT FREAK

Examination of Brides for Venereal Diseases Held Not Indelicate

(Oregonian, May 28, 1921)

Portland, May 28.—(To the Editor.)—I noticed with interest The Oregonian's editorial entitled "A Freak Marriage Bill," but why "freak"? I admit your contention that a law of the sort should be nation-wide in order to be very effectual. Still, a beginning is better than nothing, is it not? It is true that many degenerates do not marry, but many do, and wouldn't it be better to prevent even a few from bringing degenerate children into the world, than to allow the promiscuous marriages which are now countenanced?

You say this bill "imposes upon the great mass of the marrying public the indelicacy, the inconvenience, etc." Now just why should any normal, healthy man or woman object to such an examination? If I contemplated matrimony I should most certainly find out my physical condition before marriage, rather than run the risk of bringing degenerate or sickly children into the world to suffer and be a burden to themselves and others all their lives. If a man refused to submit to such an examination, I should consider it certain proof that he was unfit for marriage, physically at least.

As for the divorce rate, if it were not quite so easy to marry on a moment's notice, there would be fewer divorces. People marry on impulse, think it over afterwards and get a divorce. By all means let us make our marriage laws more stringent. Anything which will make people stop and think a bit before marriage rather than after should be of some benefit, both in lowering the divorce rate, and in preventing the propagation of many degenerates.

COMMON SENSE.

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### "INSISTENT AND PERSISTENT"

(Warrenton News, 1922)

A recent number of the Oregonian, commenting on the defeat of the hygienic marriage bill, attributes its being placed upon the ballot to a lack of courage on the part of members of the legislature "who did not have the courage to rebuff an insistent and persistent woman who wanted her hobby adopted." Insistent and persistent women and men are the ones that count, and we have no doubt Dr. Owens-Adair will continue to insist that the breeding of human beings is quite as important as the breeding of cows, although we do not need to use such drastic remedies to eliminate the spread of disease among men and women as we are now compelled by law to use for the protection of our herds; and yet we remember the opposition all laws of this class have met with, including the prohibition laws, and in every instance the plea of "personal liberty" has been entered in opposition to the welfare of the community. "Insistent and persistent" women have accomplished great

reforms in this world. Their names are honored in history, though the reforms they accomplished were met with the same or similar arguments as are now used in opposition to the hygienic marriage bill: "Decent women," it was said, "will not go to the polls because the women of the red light district will be there. They are 'too modest.'" "Prohibition will injure Portland and build up Vancouver." Same argument exactly, and at first it won, but the "insistent and persistent" women kept at it, and those questions, so far as adopting the principle involved, are settled, though the Oregonian never at any time gave them its indorsement. Compared with the early battles of the "insistent and persistent women" whose names are now revered by their sex, the result of the recent election was a decided victory for the principle involved in the hygienic marriage bill. It carried in sixteen counties of the state and was defeated by less than 6,000, notwithstanding the bitter fight made against it by the Oregonian. There were many excellent people voted against it, but it certainly contained no appeal to the mentally unfit, whom the Oregonian has saved from the hardship of going to Vancouver for permission to propagate their kind. The Oregonian's editorial is headed: "A Backbone Examination." We move to amend by the addition of the words "By a Bonehead."

I wish to thank the editor of the Warrenton News, Mr. E. H. Flagg, for his able defense of myself as an "insistent and persistent" woman.

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### STILL OPPOSING PROGRESS

(From Warrenton News, E. H. Flagg, Editor, June 3, 1921)

The attack of the Oregonian upon Dr. Adair's bill is what might reasonably have been expected from that ultra conservative follower of public opinion. The advanced laws of Oregon have, as a rule, been opposed and the state it should, but does not as a rule represent, has been blazoned as the "fool of the family" for daring to go beyond its prescribed limitations. It has "viewed with alarm" every enlargement of the people's power and every attempt to shake off the swaddling clothes of time-honored ignorance. We do not believe, however, that it has any personal motive. It is simply running true to form, and doing its dirtiest to maintain the present high rate of disease, crime and illiteracy, just as it has done whenever the people of Oregon attempted to take a step in advance of its own stage of cautious and enforced progress, and, as in the past, it may retard but it will not stop the adoption of the reform, and of many others that are very urgently needed for the betterment of the race. The disease which the bill attempts to combat is, probably, the greatest of all the ills that flesh is heir to. It is the visiting of the sins of the father upon the children, even unto the third and fourth generation, and the opposition to the proposed law because of its imaginary or real defects is simply the old cry of "personal liberty" urged against the common good. The disease is transmittable. Does the Oregonian favor the transmission of disease by means of the marriage ceremony. It is claimed that its hereditary victims have a very decided tendency toward sexual immorality. The only way to check these evils is by the proposed or a somewhat similar measure. We may be stumbling forward. We are stumbling out of the labyrinth of disease instead of deeper into it. There is not a shadow



of the shame in the physical examination before marriage that may and often does come after marriage when the discovery is made that maternity is a curse to both the mother and her offspring.

Dr. Owens-Adair is not a politician nor a lawyer. She is a plain, blunt, pioneer woman. She fights without gloves and has given her life and her means for her sex. It may be that she is a better judge than the vicariously modest editor of the Oregonian who shudders in advance, but regards complacently and without a suggestion of a remedy, the acknowledged existing and increasing evils.

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### HYGIENIC MARRIAGE URGED

#### Physician Pleads for Action on Senate Bill 174

(Oregonian, May 28, 1921)

Portland, May 28.—(To the Editor.)—Senate bill 174—the hygienic marriage and license bill—is one of the most important bills to be brought before our voters at the next election, and it is to be hoped that every voter will study it carefully.

No one having enough intelligence to have the welfare of humanity at heart will vote against it, and thus sanction the yearly flood of sub-normals that must be partly or entirely supported by the taxpayers.

Nor is the financial side the most important. The subnormal or abnormal member of the family is a lifelong heartache—the skeleton in the closet.

If there is an imbecile in your family do you want the second? If you have one or more insane members in your tribe do you wish for more? Doesn't one criminal in the family cause sufficient sorrow and humiliation, or do you want more?

Are you willing to pass social diseases on to the fourth and fifth generations in your family? Don't fool yourself. They will not escape. The question is personal; the answer is national.

Only a misguided or subnormal mind could construe or claim the production of defectives as a "divine right," and continue to keep scrubs in the home and thoroughbreds in the barn.

Is the breeding of your offspring of less importance than that of your neighbor's stock in the fields?

We surely can breed up in the human family, as well as in lower animals, or fruits, and it is our personal and national duty to do so.

Our young people should be taught heredity in the schools; after marriage it is too late. Give them a chance to marry with their eyes open to possibilities. If a couple really love each other they will be willing to be sterilized, rather than pass on a family taint, for they may maintain an ideal home, and if they really desire children they can be over-supplied for the mere asking, and have a large assortment from which to make selections.

If you want a pig or a rabbit you must pay for it. Only the poor, hapless young of the human family are given away.

A few days ago a baby with a cleft palate was left in some one's pansy bed. Those who oppose the passage of bill 174 will, if they are consistent, just tumble over each other in their haste to adopt the little defective, and thus vicariously exercise their "divine right." Go to it. The baby needs many friends.

If you are an honorable American the perusal of the daily papers, with

their records of crime, especially among the young, must leave your mind depressed, your heart saddened and every sense of decency outraged. Instinctively, you seek a remedy.

No one correction will cover all. First, let the young people be taught heredity and home craft. In marriage each should feel the responsibility of making home the dearest spot on earth.

Second, let the children be kept at home instead of on the streets during evening hours. Music, games, books, toys and other children for company are sufficient entertainment for the little ones, and then, by all means, an early bed hour for them. Our young people sleep too little—they are nerve-wrecked early in life. The fewer defectives we have to take care of, the better care we can take of the normal ones.

Third, vote "yes" on ballot No. 306 and help restrict the flood of potential criminals and defectives.

ELLA K. DEARBORN, M. D.

### HYGIENIC MARRIAGE BILL

(Telegram, June 1, 1921)

There will be submitted to the people at the special election next Tuesday, a proposed law, called the Hygienic Marriage Examination and License bill, numbers 306 and 307 on the ballot. It should be defeated for several reasons, not the least of which is the entire lack of penalty for violating its provisions.

For public information, The Telegram publishes on this page the full text of the bill, including the grammatical errors. A hasty reading shows that the bill, if enacted, would be wholly without force. Every section could be violated with impunity. No provision is made for fine or imprisonment or other punishment. The bill is a joke, and the only thing to do is to "laugh it out of court."

But the purpose of the proposed marriage reform should not be so treated. The object of the bill is to improve the breed of human beings in Oregon by minimizing the number of physical and mental defectives to be born hereafter, by making it physically impossible for defective men and women to produce offspring.

A survey of Oregon by competent experts, made at the order of the Legislature two years ago, shows that 29,847 individuals were classified as mental defectives, delinquents and dependents. In most of the cases feeble-mindedness and criminal tendencies were inherited. Statistics show that the feeble-minded woman bears twice as many children as the normal woman. The ratio of increase in the number of defectives and delinquents is alarming.

A part of the yearly cost of caring for delinquents and mental defectives in the state of Oregon is represented in the following table:

Feeble-minded school .....	\$150,000
State insane asylum .....	465,000
Eastern Oregon insane asylum.....	135,000
Industrial school for girls.....	25,000
Boys' training school .....	60,000
Penitentiary .....	150,000
Total .....	<u>\$985,000</u>

These figures do not include an immense sum for county fees, transportation, buildings and repairs.

In the voters' pamphlet, the argument supporting the bill closes with these words: "Vote for the preservation of the normal of our race."

Curiously the framers of the bill forgot, overlooked or intentionally omitted the vital matter of preservation. They failed to put teeth into the bill. Not a single tooth was inserted. Suppose the bill should be enacted, and some person violated its main provision. He might be fined or imprisoned by a supremely ignorant court, but any court of appeal would annul the decision and declare the law unconstitutional.

Apart from the fatal defect in the bill, it could not stand the test of a higher court, for the reason that it provides no standard of mentality. Suppose it had provided that no person falling below the recognized test for a 12-year-old child should be denied a marriage license. This would be definite, but when mentality is mentioned only in a general way, and the subject of examination were on the "border line," is it likely that any two physicians could agree upon the person's fitness for marriage? Sound administration of an extremely elastic law cannot rest on mere guesses.

In the drafting of the bill, the profound importance of such a reform was entirely ignored. A rational bill, carefully drawn, with the same object in view would be entitled to the most serious and solemn consideration. Perhaps the next Legislature will submit such a bill. The one to be voted on next Tuesday, if it should pass, would make laughing stock out of the state of Oregon.

The above is the Telegram's comment on the marriage bill; says it has no teeth. Not so with the Telegram with a wide open mouth and a full set of teeth, and with sarcastic grimace unloaded plenty of good advice; called it a joke. Do you realize, Mr. Editor, that the little "joke" went over the top in sixteen counties? You and the Oregonian did not kill "joker"—only chloroformed her. She will be introduced to the Legislature next January (1923) with a full set of teeth.

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### THE OWENS-ADAIR BILL

Failure Deplored by One Who Had Hope of It as a Starter

(Oregon Journal, June 11, 1921)

Corbett, June 10.—To the Editor of The Journal—The opposition to and the recent defeat of the Owens-Adair eugenics marriage bill must cause many degenerates and criminals to smile as they pause in their destructive work to society at large to think of the thousands of friends and sympathizers they have in Oregon. They have escaped restriction on the propagation of their kind and in the years to come these same friends may have occasion to regret the crimes committed and the degenerate practices employed against their own sons and daughters by the very descendants of those degenerates they have now defended.

Reading the remarks made against the passage of the bill causes one to wonder if somewhere there may be opposers of the bill who have very personal

reasons for wishing to escape the effect of such a law. A morally clean and a mentally sound man or woman could have no reason for fear. Those who do have reason to fear such a law can take comfort in the fact that Vancouver is a short distance from Portland. Many Portland residents have taken refuge there in order to escape the Oregon law now existing, wherein the male must undergo a physical examination before securing a marriage certificate. A glance at the daily statistics will prove this.

I believe, as The Journal does, that the bill passed locally, would not accomplish much good, but I also believe that Oregon could at least have set a precedent and other states would soon have followed. A national law would result, and some day we should not have to face the disgraceful spectacle of thousands of young men unable to pass physical or mental tests because of defects at birth inflicted by unclean and degenerate parents. The baby homes, too, would be less crowded.

MRS. LILLIAN NIELSON

### PURE WOMEN PUT IN FLIGHT

How Marriage Bill May Affect Normal Young Persons

(Oregonian, June 4, 1921)

Corvallis, Ore., June 4.—To the Editor—Notwithstanding the opposite view expressed by The Oregonian in its reply to Dr. Owens Adair, it appears to me that the impediments to orderly matrimony of eligible persons, proposed in the so-called hygienic marriage law, may well become very real if the measure is enacted. It is evident that the same provisions would fail as a deterrent of marriages of the wrong kind—indeed might prove a stimulation by the challenge they offer to the daring or ingenuity of the parties in evading the penalties. This suggests the possible alternative to orderly marriage for the well born, well reared, well educated and well behaved young woman who might under the provisions of the measure be refused a certificate by a designing or incompetent examiner.

She might accept the verdict in all sincerity and renounce matrimony. She might suspect a frame-up, but fearing some mysterious inherited taint prefer handing over the "tip" to taking chances with another physician. She could swallow her pride and seek the services of a more "friendly" examiner. She could go into the courts and get herself published as a woman of doubtful sanity and virtue. She could submit to sterilization and lead the rest of her life in the half world. She could assume the marriage relation without sanction of the clergy and "hide out." Or she could go to Vancouver or some other place where bright women of good name do not have to submit to an intimate investigation of their mentality and purity to get license to wed—and come back to run the gauntlet of gossip about having to leave the state to get married.

The probable effect of the law if enacted in preventing marriage of the other kind of girl may be forecast by the results of the present law requiring examination for men. Does anyone know of a single matrimonial venture held up permanently by this law?

In the light of experience with measures of this kind it would seem that thoughtful voters would find no trouble in voting down this vague, vicious and half-baked measure. To do otherwise would go far to earn for Oregon the heretofore unmerited appellation, "the fool of the family."

C. J. MCINTOSH.

## EXAMINATION NO GREAT ORDEAL

## Marriage Bill Requirements Not Terrible, Says Woman Doctor

(Oregonian, June 6, 1921)

Portland, June 6.—To the Editor—Mr. McIntosh is needlessly alarmed over the terrible ordeal to which our women will be subjected in order to secure marriage license in case the Owens-Adair bill passes.

Securing the necessary specimens for social disease tests is small embarrassment compared to those that come later to all women in childbirth and the various ailments that require the services of a physician.

Even "the well-born, well-reared, well-educated, and well-behaved young woman" may develop pelvic troubles demanding the services of physician or surgeon.

Does modesty jeopardize her health? It does not. Her intelligence responds to the physical S. O. S. call and she consults her physician; perhaps her mother goes with her.

Either way, she is treated with absolute professional courtesy and dignity, even as a prospective bride would be, in case the marriage bill passes.

Our soldiers were examined much more thoroughly before deemed fit to face the enemies' bullets.

Is war a more important thing than race improvement?

No intelligent woman will object to proving that she is a proper subject for matrimony and childbearing, and if there are family taints that should not be passed on, above all she wants to know that about herself as well as the man she hopes to marry.

Get the dark-age sex fetish out of your heads—let us be clean mentally as well as physically. Why take it for granted that the majority of persons are so defective as to require sterilization, before giving license, but if they are, isn't that all the more reason for passing the bill?

At present normal people predominate, but they will not in a few years if we permit defective breeding at the present rate of increase.

ELLA K. DEARBORN, M. D.

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FEARS GRAFT

## Thinks Bill No. 174 Would Not Be Effective if Passed

(Oregon Journal, June 9, 1921)

Athena, May 26.—To the Editor of The Journal—Senate Bill No. 174, on which we are to vote on June 7, says in part: "Should one or both fail to pass the health and mental tests, then one or both shall not be permitted to marry, unless one or both are rendered sterile."

Now this might be all right if good and honest doctors were always employed. But they are not always good; neither are they always honest. There might be as varying degrees of doctors as there were of applicants examined. They may not be so susceptible to human depravity as the rest of us, but there are bound to be nincompoops and unreliaables in the medical profession as elsewhere. And if it is true that "every man has his price," I don't suppose doctors are an exception. They are just human, like the rest of us. And

graft could accomplish for some where honest means would fail for others. The law opens the door for a lot of dishonest practice.

As to mental cases, where are you going to draw the line? It is all up to the doctors again. And again, could not a few dollars do much toward moving the imaginary line of demarkation backward or forward to suit the purse of the applicant? I think they could.

It would be mighty fine if we could fulfill some beautiful ideal, whereby the world could be filled with supermen and superwomen, physically, mentally and morally. The old Greeks came nearest to it, mentally and physically, but they fell down on morals. They exposed their infants.

Let us first clean up our slums, close our gates to the foreign flotsam of degradation and degeneracy, raise the standard of living for those who live by their labor by giving them a fairer share of the fruits of their labor, and we shall have gone a long way toward the goal of better men and women. No use to sterilize the water and continue to pollute the stream. We harbor in our midst the things that are eating out our moral vitals and think we can offset the evils thereof by such makeshifts as senate bill No. 174. It cannot be done.

F. B. W.

I have yet to find an opponent to the sterilization law, or the marriage bill, who did not try to show the great wrong that could be done to the subjects. The Bible says "judge not that you be not judged." When I hear a person abusing another I set it down that he is worse than the one slandered.

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#### LITTLE IS SPENT FOR MARRIAGE MEASURE

(Oregon Journal, June 16, 1921)

Salem, Ore., June 16.—Expenditures in the interest of the hygienic marriage bill, defeated at the recent election, were limited to a few dollars for a stenographer and for hotel bills and traveling expenses, all of which were paid out of private funds, according to Dr. Owens-Adair, author of the measure, who has filed a statement covering these facts with the secretary of state's office.

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#### MEDICAL MEN URGE NEW MARRIAGE LAW

Doctors Plan Plea for Tri-State Regulation—Election at Convention Places  
Several Physicians of This City in Executive Positions

(Oregonian, July 2, 1921)

A uniform marriage law in Oregon, Washington and Idaho was proposed yesterday at the last session of the tri-state medical meeting at the Multnomah hotel. Action toward the drafting of such a bill to be recommended to the legislatures of the three states was started by the delegates.

"We feel this is a move in the right direction," said Dr. Joseph A. Pettit of Portland. "The failure of the Owens-Adair bill at the recent election showed the imperative need of establishing uniformity in the laws governing marriage in the three states. Those now in existence have not sufficient force, because it is easy to evade them by going to a neighboring state. If the same law governed marriage in all the northwest states it would be effective. We have recommended that each medical association in the northwest appoint a committee to confer on the proper kind of bill to be submitted to the legislatures. Action will be started at once."

The first meeting of the committees is of indefinite date, but it is slated for the near future. The Oregon association appointed Drs. E. A. Sommer, H. M. Greene and Richard B. Dillehunt.

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### COUNTY CLERKS RAP PHYSICIANS' "GRAFT"

**Either No Physical Test or Rigid One Wanted—Law Now Called Joke—Resolution Favoring Examination of Both Men and Women Is Adopted by Convention**

(Oregonian, Nov. 11, 1921)

Laxity of Oregon marriage laws and what was characterized as the "physicians' graft"—the perfunctory and worthless physical examination now compelled of all males seeking marriage licenses—were scored by county clerks of the state of Oregon in convention in Portland yesterday.

Sentiment was strong for abolition of the physical certificate unless the examination was made a real one, including a blood test, and was required of women as well as men. After considerable discussion, the convention went on record as favoring the passage of a law requiring a rigid physical examination of both the man and woman seeking a license to marry. The resolution was offered by Floyd Moore, county clerk of Polk county, and seconded by the only woman county clerk present, Inez Bunch of Coquille, clerk of Coos county.

### Bann Publication Urged

Publication of banns for ten days prior to the issuance of a marriage license also was favored by this resolution. It was considered that this would ameliorate to some extent the evils of the residence affidavit, which at present appears to breed perjury, it was said.

Numerous instances were cited of where affidavits had been given as a mere evasion of the law and where physicians signed medical certificates that "to the best of their knowledge and belief" the man was without venereal taint without ever making an examination of any sort. Joseph W. Beveridge, county clerk of Multnomah county and president of the association, told of injustices which had come to his attention and instances in which real physical examinations should have been demanded of both sexes.

The expressed fear that stringent marriage laws merely would enrich Vancouver coffers was met with the assertion that few respectable men or woman would dare evade the responsibility of such a law in Oregon because of the stigma it would place on them. When the resolution finally was put to a vote it was carried unanimously.

## EUGENICS IN WEDDINGS, IS PASTOR'S FIAT

Berkeley Minister Posts Notice in Church Setting Forth Requirements  
in Marriages

San Francisco Examiner, Dec. 3, 1921)

The eugenic marriage has come—at least, so far as the Rev. Robert F. Leavens, acting pastor of the First Unitarian Church of Berkeley, is concerned.

Yesterday the clergyman posted a notice in his church, one of most fashionable and widely known in the college city, in which he declared he will perform no marriages unless the contracting parties can show physicians' statements testifying that they are physically and mentally fit. The church board of trustees has backed the pastor in his stand.

The announcement placard occupies a prominent place in the church vestibule so that all who enter may see.

In addition to the placard the clergyman has also posted a bulletin, called "Unity," in the vestibule which explains his stand in detail. The bulletin reads:

For more than six years I have not performed a marriage ceremony without having first received from each party to the marriage the statement of a reputable physician to the effect that the person named is in physical and mental condition fit for marriage.

I am very glad to be able to say that the trustees of this church have heartily indorsed this measure by continuing it while I serve as minister here.

The Rev. Dr. Leavens has just replaced the Rev. H. E. D. Speight, former pastor of the First Unitarian Church.

The Rev. Leavens declares that in cases where he is not satisfied with the health certificate of the marrying couple, he demands that they submit to the Wasserman blood test.

"A large percentage of the insane asylums would be unnecessary if this were done in all marriages," he adds.

"It is proper with those who have the avowed intention of rearing families to know that the prospective mates are physically fit and only those who intend having families should be married. Such precautions are a necessary safeguard for future generations.

"A law should and eventually will be, established requiring medical certificates before marriages can be performed. When a thing is right, I do it regardless of law."

The Rev. Dr. Leavens has been requiring health certificates before issuing marriage certificates in his pastorates at Fitchburg, Mass., and at Omaha. In Berkeley he has the sanction of the trustees of the First Unitarian Church, headed by L. H. Duschak.

In all he has performed 30 marriages under this plan and has rejected five couples for lack of proper requirements. One case in Omaha a couple agreed to furnish the credentials asked, then at the last moment eloped. He says later it developed that the bridegroom had not passed the physician's examination.



## OPPOSING BIRTH CONTROL

## A Vehement Protest Against the Attitude of the Denver Judge

(Oregon Journal, Dec. 20, 1921)

Seaview, Wash., Dec. 20.—To the Editor of The Journal—In The Journal of November 27, under the heading "Mather May Be Operated on to Limit Family; Father Unable to Provide for Five Children and Welfare Workers Would Prevent Other Births," is an article, dated Denver, November 26, which says: "Mrs. Clyde Cassidente must submit to an operation for sterilization or give up her five children. This in effect, was the order today of Judge Royal Graham of the juvenile court."

If Judge Royal Graham's mother had been forced to undergo such an operation as he would impose on the Denver woman, there would have been no Judge Royal Graham to pass judgment on the Denver woman.

If intimidating a mother with a threat to take from her her offspring, which God Almighty gave her, to force her to comply with the order of the court of so-called justice which would rob her of that which nature had given her at birth, then God deliver us from such welfare work and from a civilization wherein it is permitted. Better that we go back to the land of the hairy man and the freedom of the wild.

In The Journal of December 14 among the letters from the people, I read more about "The Woman in Colorado." Somebody, who evidently did not want his name to appear, has expressed an opinion supporting birth control. This unknown person predicts the coming of a time when the people will awake to the fact that we need birth control. Then he goes on to say: "There are already too many children in the world. What we want now is quality and not quantity."

How can a person with any love for nature in his heart make such a statement? If birth control had been practiced in the families of those who oppose it, perhaps the world would be a better world today. I consider such a statement an unpardonable sin before the God who created us. Nature did not mold her human creatures that their form should be altered according to the whims of our so-called society reformers. Those who have abused their natural privileges, let them repent if they will, but by no means let them tamper with the works of nature in an attempt to prevent human life at a time when human living creatures are the things we most need.

JOE KNOWLES.

To the above item, I will say to Mr. Knowles that I do not think that he has grasped the situation. He has rushed into print without knowing what he is talking about. He does not realize that there is any difference between a feeble minded woman and a normal woman. Mrs. Cassidente is feeble minded; she has five children also feeble minded. The state did not want her to have any more children to be taken care of at the taxpayers' expense. She was not fit to take care of her children. If she had been sterilized, she could have continued to live with her husband, but she could not have any more children. Now she with her five children are all in the feeble minded home supported by the state.

## CLERICS DIFFER ON EUGENIC WEDDINGS

Time Not Ripe for Them, One Says—Question Held to Be Up to Couple

(San Francisco, Feb. 6, 1922)

San Francisco clergymen yesterday gave approval and disapproval of eugenic marriages as advocated and performed by the Rev. Robert Leavens, acting pastor of the First Unitarian Church, Berkeley.

The subject was brought home closely to the preachers as Dr. Leavens yesterday married Miss Dorothea Langguth, University of California student, and Cecil Andrew McCoy, San Francisco business man, both advocates of eugenics.

Following are the opinions:

**Rev. W. A. Phillips, St. John's Presbyterian Church, Arguello boulevard and Lake avenue:** I believe eugenic weddings would be a great aid in purifying the human race. The future generations would reap much from it. However, there is the possibility of eugenic ceremonies being carried to extremes.

We take special precaution to see that the good breeds of animals in perfect health are mated. The same care in selection is used with flowers. But until the present time naught has been done to improve the human race.

But while I favor eugenic marriages to a certain degree I also favor wedlock being open to every one, irrespective of whether they are physically fit or not. I believe, however, that some force should be brought to bear on these unhealthy life mates to prevent them from bringing children into this world. No one has the moral right to reproduce anything which might weaken humanity.

One thing I am greatly opposed to is the manner in which eugenics are taught in our public schools. The teachers are untrained and unfit for their work. They have no right to be teaching such a subject to children. Their places should be taken by older persons. That would be of great aid in rearing children to a high standard of perfection so they would be ideal life mates.

**Rev. W. P. Bentley, First Christian Church, Duboce Avenue and Noe Street:** The trouble with humanity is it has been trying too long to cure symptoms instead of getting at the root of the trouble. Eugenic marriages will do this.

There ought to be somebody else besides a marriage license clerk to interview a couple when they apply for the privilege to wed. For instance, a state official should pass on the mental and physical condition of the prospective bride and groom.

Of course, an unusual situation would arise just as soon as the physically unfit would be prohibited from marrying, but I think society would be able to cope with that problem satisfactorily when the time came. At present we are only interested in having action taken making eugenic weddings compulsory. That action should be taken by the state and not by the church.

**Rabbi Wolf Gold:** Dr. Leavens is right. I believe no couples should be permitted to wed without first proving they are in good health. I would even go so far as to recommend that those desiring to enter matrimony be compelled to get a health certificate from the state. It would prevent many diseases and insure a better future generation. As for those that are physically unfit I should advise that they content themselves with striving to gain good health, after which permission should be given them to enter marriage.

**Rev. Dr. W. K. Guthrie:** Health-marriage is a good thing for the human

race, but I do not believe the race, is ready for it. There are other things which must be taken into consideration, also in marriage.

I think parents could aid vastly in propagating good health among the coming generation by taking a greater interest in the health of their children and tactfully retarding any match which might prove a detriment to the next generation.

All in all this subject of eugenics is too big and broad to be governed by one set of rules. Each case would probably call for a different verdict.

**Rev. James E. Jackson, Wesley Methodist Church, Hayes and Buchanan Streets:** Eugenic marriages on a national scale will never be. Humanity is too strongly opposed to it. I do not agree with Dr. Leavens that all the physically weak should be barred from matrimony, but I do say that those suffering from hereditary diseases, insanity or any one of several other diseases should be prevented from marrying. But there is no reason why a person who is merely delicate should suffer the loss of mental happiness.

The above clipping was read at a banquet given me on my 82nd birthday in Paso Robles. There were five ministers among the guests at the banquet table. In closing my short talk I said: "I am indeed glad to have this opportunity to address you ministers for you are the power behind the throne. You can marshal in your great armies of Christian people into this purifying work and thereby save our nation." The next day one of those ministers called and said: "Dr., your talk was very opportune. We all enjoyed it and learned some things." I said, "Rev., don't you know you are the power behind the throne and your great Christian armies could save our nation?" "Yes, doctor, I do. And I will tell you now that up to this time we have done nothing, but we will!"

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### IMPROVING THE HUMAN RACE

(Bend Press, March, 1922)

If life's problems are ever to be solved it will only be through the utilization of some of the facts which the mind of man discovers.

Men's minds are slow to accept facts which differ from that which they supposed to be true from early training, teaching and experience.

There are many problems which the world has seemed to be content to deal with from the surface. One of these is the question, a rapidly growing one, of dealing with the feeble minded and insane.

Science has proven that the former are hereditary in nature. In this the old axiom that like begets like is true.

There is not a cattle man in Central Oregon that would allow on his range an inferior breed of stock, a breed which failed to grow on the feed which he provided for them, a breed which produced only their kind and were carried from year to year at a loss. Associations are spending thousands and thousands of dollars annually in order to try and improve the breeds of cattle, sheep and horses.

A poultry man would be deemed a fool if he did not study his problems and deal with the non producers from the egg.

The wheat man would not be wise if he continued to plant a type of seed which yielded little or nothing.

Yet men hesitate to deal with the greatest question of all. That of the improvement of the human race.

God gave us brains and he intended us to use them, if we use them to make people happier, if we use them to eliminate the suffering and misery that is in the world, then are we following the Divine Law.

In the case of a person mentally or physically sub-normal, can any one give any reason why it is necessary that they be allowed to bring children into the world who will never be able to enjoy any of its blessings, and who, through their lives, will only be objects of pity and charity? Can there be any reason in allowing this condition to continue when it is possible through proper marriage regulations to control these people from entering into this most sacred and important relation?

If any person was aware that they were subnormal is it possible that they would want to bring children into the world who would, in all likelihood, have their parents' shortcomings intensified? No man or woman wants to be the parent of a half witted child. Every one wants children who are healthy, wide awake, intelligent, capable.

As long as the unrestricted marriage of subnormal people is allowed to continue, just so long are our insane asylums and homes for the feeble minded going to be a burden for the taxpayers to carry.

This burden is no small one in Oregon today.

The last legislature appropriated a million and a half dollars for that purpose for the next two years.

This is a large sum of money. If the present rate in the increase of births of idiots continues in the future as it apparently will judging from the past, this sum will be but a drop in the bucket in years to come.

Dr. Owens-Adair has succeeded in putting on the statutes of this state a measure which allows the sterilization of the criminally insane. Over three hundred operations have been performed with satisfactory results. Individuals realizing the importance of the position they are placed in, and realizing their own deficiency, morally, mentally or physically, have had the operation performed by local physicians.

There is a growing realization that something must be done if the nation is not to become filled with degenerates.

By far the best solution of the problem that has been offered is contained in the marriage regulation bill offered to the voters of the state at the June election.

It is at least worthy of the earnest consideration of all who desire to see the standard of human life raised, of those who desire to see fewer persons in our homes for the mentally unfit, for those who desire to see less money spent in sustaining these institutions.

It is a problem which should command the attention of every one.

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## U. S. PHYSICAL AND MENTAL TEST LAW WITHIN FIVE YEARS DR. OWENS-ADAIR FORECASTS

(Astoria Budget, March 31, 1922)

A federal law will be enacted within five years requiring every male and

female adult to pass a physical and mental test before procuring a marriage license.

This is the prediction of Dr. Owens-Adair, sponsor for Senate Bill No. 174, which passed both houses of the recent Oregon legislature, having for its object the amendment of existing marriage laws in Oregon to require women as well as men to pass a rigid physical examination and both parties to pass a mental test before a marriage license is issued, with a proviso that in the event that either party seeking a license fails to pass the test, they shall be rendered sterile before getting a license.

Dr. Owens-Adair arrived from Portland by boat last evening, and will only be here a few days, during which time she expects to formally launch her campaign in Clatsop county. A mass meeting will be held and the merits of her bill explained to the men and women of this city and other parts of the county so that all will be fully informed on it when it comes before the electorate at the June election.

Dr. Owens-Adair has visited Portland, Salem, Prineville, The Dalles, Bend and other Oregon cities recently and states that everywhere she has found that her bill is meeting with the approval of all thinking people. She has appointed Mrs. W. S. Kinney, Clatsop county representative, as chairman of the campaign of education to be conducted in this county in the near future, when speakers will visit all parts of the county. A state-wide campaign will be conducted with Mrs. Kinney and others speaking in the various cities and towns.

Dr. Owens-Adair stated that a clear statement and argument relative to the bill coming before the people at the June elections was recently prepared for the voters' pamphlet by Dr. C. J. Smith, state senator, and Representatives Kinney and North.

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### MAN, THE ANIMAL

**He Creates better Hogs but Improves Not Self**

(Portland News, April, 1922)

It is joy to the just to do judgment; but destruction shall be to the worker of iniquity.—Proverbs 21:15.

Though the average city reader hears little about it, there is a great work going on, a greater work than that of the city plants, of the mills, the factories, the show places and the advertised discoveries and inventions.

The quiet work of the breeder is revolutionizing the earth before our eyes, and as definite a new order of creation is being evolved as though a new Eden appeared.

Man has in a few years so perfected the cow that one of her produces more milk than a herd did in your youth. Twenty-seven thousand pounds of milk in a year from a single cow. And man has so fixed this breeding that her grand-daughters will be greater milkers than she.

Man has taken the pung, slab-sided wild hog and made him into a great mound of bone and flesh until the fat hog today weighs more in his prime than the average driving horse.

Man has fussed with the milk goat and in a few generations has induced it to give more milk than the average scrub cow.

He has taken the hen, that averaged 60 eggs a year, and brought her up to 220 eggs, not for one hen but for flocks of a thousand.

He has created new species of hogs and dogs and cats and fowls and horses and sheep; created them with a definite ideal in mind and attained it.

The work these last 20 years of animal breeders is by far the most wonderful work in the world, and it has meant more and better food for each of us at less cost in feed and labor; one good cow gives as much milk as five of her grand dams did, but she doesn't eat five times as much, nor does she require to be milked ten times a day, praise goodness.

And the 220-egg hen doesn't eat much more than the 60-egg hen.

But when it has come to the job of improving his own breed man has failed utterly.

There is indeed evidence that the Greeks knew more of art and beauty than we; that the Romans knew more of government and of law, and that the Egyptians knew more of the stars and of engineering.

Certainly the mind of the cultured man of 2000 years ago was as keen and as capable as it is today.

When it comes to the breed of man we average along in the grades; there are more scrubs among us than there are pedigreed folks, and there are more loafers and drones and lack-wits than enough.

If man could only devote his best energies to himself for a few generations, even though he made but a tenth the progress he has made with hogs and dogs and horses, still he would produce a race of supermen. Men who would live happily, work effectively, think beautifully, reason clearly, act with certainty, move with grace and delight with their charm. Great, giant men without deformity.

Gee, but we city folks are ugly. The savage of the jungle is a beautiful animal but we of the civilized towns are scrawny leather skinned, weak eyed, knock kneed, flat footed, hollow chested specimens that the starving New Zealander would hesitate to dump in the family pot.

What is man that thou art mindful of him?

What indeed?

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## THE COMING GENERATIONS

### Plea for the Passage of the Owens-Adair Sterilization Bill

(Oregon Journal, May 20, 1922)

Portland, May 14.—To the Editor of The Journal—The Dr. Owens-Adair sterilization bill has the lives and happiness of future generations at stake. It could well use the slogan "Have a heart," as did our charity drive. The primary issue before us in this bill is the health and happiness of future human lives. We who are blessed with health do not know what it means to be born with a curse attached. The seriousness of such a situation can only be realized when we imagine ourselves in the places of little ones who come onto this earth, supposedly pure, but instead, robbed by us of their birthrights by being damned with perhaps blindness, perhaps deafness, possibly contorted limbs, in many cases insanity and feeble-mindedness and some times doomed to a creeping death. The ones with the heaviest loads are in most cases finally dragged into our state asylums, penitentiaries and institutions for the feeble-minded. Some never reach there. Fate buries them by the wayside. Those of them whose mental faculties are not impaired by disease ask us, "Why are we in such a condition while the rest of you are enjoying those two intrinsic riches—health and happiness?" If we answer the truth we must say, "You

are there because of the laxity of our laws controlling mental and social diseases."

There are a few individuals opposing this bill who place coming innocent life as secondary to their own heartless anatomies and also secondary to their dollars. One writer wonders "why Dr. Owens-Adair takes an interest in the welfare of the people of Oregon." I wonder if that writer ever stops to consider why nearly 1000 Oregon boys lost their lives in the service of our nation and Oregon, or why The Journal is interested in the masses of people in our state and not just a few selfish individuals?

Our state institutions for defectives cost us \$1,000,000 annually. They cost many of the inmates everything except the spark of life and three meals a day. Who pays the greater price?

May the "to hell with the coming generation" spirit prove the weaker at the election on June 7.

"Have a heart" and vote "Yes" on the hygienic marriage examination and license bill.

L. M. MARTIN.

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### VICTORY EVEN IN DEFEAT

(Astoria Budget, June, 1922)

Dr. Owens-Adair's bill requiring physical and mental examination of applicants for marriage licenses and the sterilization of persons of subnormal mentality before marrying was defeated by the voters of the state but, even in defeat, the bill has not wholly failed.

It has brought the attention of the public to a most important problem and has caused many people to consider a subject that has heretofore been ignored.

The bill was not defeated by a large majority. The many affirmative votes which it received indicate quite plainly that many citizens have become convinced that some steps should be taken to prevent degenerates and defectives from propagating their kind. It is undeniably a fact that many people who opposed the bill with their votes were still in sympathy with the purpose it sought to accomplish, voting negatively only because they believed the measure inadequate to cope with the problem.

The question opened up by Dr. Owens-Adair's bill is one that will command increasing attention from the public and sooner or later legislation, national in scope, will be devised to correct a condition which is breeding down our people, filling our poorhouses, penitentiaries, insane hospitals and other similar institutions, recruiting the ranks of the prostitutes and, incidentally, adding to the tax burdens of the whole people.

The survey made by Dr. Chester L. Carlisle of the U. S. Public Health Service here in Oregon showed over 65,000 socially inadequate individuals in the state. Special studies with adult criminals showed 51 per cent mentally dull or defective while 22 per cent of these adult criminals have the mind of a child of 12 years or less. The same element of mental defect holds true for juvenile delinquents and of 451 dependent inmates of poor farms 175 showed mental defect.

We are spending large sums of money and have staffs of scientific men employed to breed up better dairy herds, better pigs and better poultry, but

we have been sitting idly by without even protesting against the practices which mean the deterioration of men and women.

Dr. Owens-Adair's bill as drawn may not be the answer but it has started the way to the finding of an answer.

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### DEFEAT IS NOT REGRETTABLE

#### Marriage Bill Clumsy and Ineffectual, Says Medical Paper

(Medical Sentinel)

While the proposed hygienic marriage bill was aimed generally in the right direction, one can hardly regret seriously its defeat at the polls which took place on the 7th of this month.

As one looks over the bill and the results, one cannot but conclude that it was a clumsy and ineffectual effort to make over the human race. The instinct of the newspapers was decidedly against it all over the state, and cogent arguments were advanced for its defeat, and this fact undoubtedly added greatly to the result.

The bill now in force which requires medical examination to the man before marriage is a theoretical advance, but it is a question if in the actual working it is of much benefit. The man who is determined to marry in Oregon can often get a certificate from a physician after a perfunctory examination, for sad to say there are members of the profession who are not exactly what they should be. Anyhow, Washington is near, and Portland suffers in its reputation for an undue number of divorces as compared with its marriages, because of the proximity of Vancouver.

While the general public did not see that there was anything particularly objectionable in requiring the man to submit himself to an examination by a physician before marriage, it revolted when a similar requirement was called for of the gentler sex. The respectable citizen put it to his own family, and could not bring himself to be pleased that his daughter should be required to submit to the ordeal while he would have no objection to such a requirement for his son.

Perhaps some day we shall have a law that will supplement that now on the statute books, but it must be along different lines from that which has just been defeated.

Editor Medical Sentinel: I am not worried over your abuse of the marriage bill. It was the strongest (as you ought to know) that could be expected to pass the legislature at that time. I think you will admit that it has done much toward bringing the people to the realization of what they have to face, and has opened the way for a stronger and better bill that is on the way.



**Letters About the Marriage Bill**

I take pleasure in printing the following letters written me by the friends of the marriage bill of 1921. They are of interest as a history of the campaign for the bill and for the sympathetic opinions expressed by the writers. They are all people whose opinions are worthy of consideration.

Dec. 14, 1921.

Dr. Owens-Adair, Box 688,  
Paso Robles, Calif.

My Dear Dr. Adair:

Pardon my delay in answering your letter of November 28th. I am very much interested in the progress of your work and I am sure that it will eventually lead to a successful issue. The work of civilization is a necessarily slow evolutionary process and the failure of securing the passage of measures to direct human betterment, through biologic methods, is simply a manifestation of the natural conservatism of people in general. I am sure that some day there will be on the statutes, laws enabling infinitely more intelligent control of the hopelessly unfit and minimizing the propagation of such, and your name will certainly go down as the pioneer in this sort of work in the Pacific Northwest. Yours very truly,

RICHARD T. DILLEHUNT,  
Dean University of Oregon Medical School.

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November 3, 1920.

Dr. Owens-Adair,  
Warrenton, Oregon.

My Dear Dr. Adair:

We have your communication of the 29th ult. and it will be considered by the Executive Committee of the Society at its meeting next Friday.

Personally, I am very glad to express the most sincere sympathy with your attitude toward the problem of race culture.

The only question regarding the proposed law of which you write does not relate to its desirability, but rather to its feasibility. It sometimes seems desirable to let legislation wait on education.

Afer Friday's meeting I will send you a statement of the Society's attitude toward your proposed legislation.

Yours very truly,  
HENRY M. GRANT,  
Executive Secretary Oregon Social Hygiene Society.

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November 6, 1920.

Dr. Owens-Adair,  
Warrenton, Oregon.

My Dear Dr. Adair:

As promised in our communication of November 3rd, the Executive Committee took up the question of your proposed marriage legislation at their meeting yesterday.

The attitude of the Board is very similar to that expressed as my own

view-point. They are in sympathy with the movement for the prevention of reproduction among the feeble-minded. They are, however, not certain of the desirability of passing such a law at the present time, but rather feel that more education should precede such legislation.

The Society would very much like to have a copy of the measure you propose, in order that they might give the matter further and more careful consideration.

Hoping we may have a copy for consideration at our next meeting, I am,

Cordially yours,

HENRY M. GRANT,  
Executive Secretary Oregon Social Hygiene Society.

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November 20, 1920.

Dr. Owens-Adair,  
Warrenton, Oregon.

My Dear Dr. Adair:

We have your letter of the 11th inst. informing us of your inability to furnish a copy of your proposed law at the present time.

Your letter was read before our Executive Committee meeting of yesterday. We hope you will soon have available a definite outline of your measure and that you will allow us the privilege of reviewing that outline in order that we may be informed regarding your undoubtedly important proposal.

With all good wishes, I am,

Cordially yours,

HENRY M. GRANT,  
Executive Secretary Oregon Social Hygiene Society.

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Portland, Oregon, Feb. 1, 1921.

Dr. Owens-Adair,  
Hotel Marion, Salem, Oregon.

Dear Doctor:

At the Legislative Council your measure was discussed and the principle of it upheld by all present, but as some had not been instructed there was no vote. The Federation, I understand, indorsed it at their meeting held recently in Portland. I was proxy for Mrs. Thompson so if there is any point you wish to discuss will you please see her.

Appreciating the good work you are doing toward safeguarding the community, I am,

Yours very sincerely,

EDITH KNIGHT HILL,  
Alternate for Mrs. A. Thompson, Oregon  
Federation of Women's Clubs.

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February 4, 1921

Dr. Owens-Adair,  
Hotel Marion, Salem, Oregon.

Dear Dr. Adair:

Your letter of the 2nd has just been read and we are writing you immediately.

I presented the subject of your bill to an organization on Tuesday after-

noon but failed to get an endorsement of the organization although several members said they approved of it.

They do not think that the general membership of the organization could be pledged to anything which is so far in advance of the times. I am writing you a separate letter to be used in any way you see fit and regret very much that we cannot secure a unanimous endorsement of the bill.

I am asking the women who are interested in the measure to write to you personally. I have not yet received a copy of the bill, but this may come in a later mail.

You have certainly had an unfortunate group of discouragements, but you know this we anticipated. Things happen so rapidly these days that I do not believe you will have to wait the ten years as you prophesied before what you propose is an accomplished fact.

Please let me hear from you whenever you think there is anything I can do.

Yours very sincerely,  
MILLIE R. TRUMBULL,  
Secretary Board of Inspectors of Child Labor.

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Portland, Oregon, February 10, 1921.

Dear Dr. Adair:

I have just read Senate Bill 174 and House Bill 88, and want to place myself on record as greatly in favor of both bills.

My own experience in twenty-five years of social service work, touching almost every branch of work dealing with human weakness has taught me that your bills strike at the very root of the trouble. If we could bring to the consideration of the human kind the same skill, forethought and wisdom with which we improve the animal kingdom, the way would be much happier and better, to say nothing of the money which is now spent to care for the insane and feeble minded, and I am not so optimistic as to have any hope that Senate bill 174 will become law, as there is so much to overcome in the way of prejudice, but I am hoping that the Legislature will put it upon the ballot for you.

I shall be very glad to do anything that I can to help, if you will tell me what you want done. You are on the ground and you know best where help is needed.

Affectionately yours,  
MILLIE R. TRUMBULL,  
Secretary Board of Inspectors of Child Labor.

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March 10, 1921.

Dr. Owens-Adair,

Care Pilot Butte Inn, Bend, Oregon.

My Dear Dr. Owens-Adair:

I am in receipt of your favor of the 28th ultimo, enclosing copy of Senate Bill No. 174. You state that you do not desire to have this bill referred to the people at the coming special election to be held on June 7th, 1921, but wish it to be voted upon at the next general election, as provided in Section 4 of said bill. Answering, I beg to call your attention to Section 1 of Article IV of the Constitution of Oregon, which provides:

"All elections on measures referred to the people of the state shall be

had at the biennial regular general election, except when the legislative assembly order a special election."

In the present instance, the Legislature has ordered a special election by Senate Bill No. 309, entitled:

"A bill for an act authorizing and providing for a special election to vote on measures enacted by the thirty-first legislative assembly of the state of Oregon and submitted to the people; \* \* \*"

And Section 1 of said bill provides:

"\* \* \* At such election \* \* all measures or enactments passed by the thirty-first legislative assembly, and which by the terms thereof are referred to the people, and no other, shall be referred to the people for approval or rejection. \* \* \*"

Section 4 of S. B. 174: "at the next general election" would not control as said bill is not yet in effect. As the section of the Constitution above quoted is controlling, the bill must come before the people on June 7th, 1921, at the special election ordered by the Legislature by Senate Bill No. 309, referring "all measures or enactments passed by the thirty-first legislative assembly, and which by the terms thereof are referred to the people \* \* \* for approval or rejection."

Very truly yours,

I. H. VAN WINKLE,  
Attorney General for Oregon.

March 12, 1921.

Dr. Owens-Adair,  
Bend, Oregon.

My Dear Doctor:

Acknowledging your letter of recent date I trust you will pardon my delay. The bill in question was not approved by me but was filed with the Secretary of State without my signature and, consequently, I will be unable to send you the pen that you desire. The bill did not meet my approval because it was so loosely drawn and so poorly constructed that I did not care to place my signature thereon.

Very sincerely yours,

BEN W. OLCOTT,  
Governor.

March 15, 1921.

Dr. Owens-Adair:  
Pilot Butte Inn, Bend, Oregon.

Dear Dr. Adair:

In keeping with your request of the 8th, we will forward you at a later date a number of copies of Senate Bill No. 174 as passed by the Thirty-first Legislative Assembly and filed in this office. The printer will take up the printing of this measure in pamphlet form at a later date and a sufficient number will be available for all ordinary requirements.

From the information which we are able to obtain from the Attorney General at this time, he is of the opinion that this measure will be referred to the people at the special election to be held June 7, 1921, notwithstanding the provision of the law direct that it be referred at the next general election. The fact that the Attorney General is of the opinion that the measure will be referred at the special election of June 7th, is based upon the action of the

Thirty-first Legislative Assembly. Senate Bill No. 174 was enacted prior to the law authorizing the special election June 7th. The law authorizing the special election June 7th. The law authorizing the special election provides that all constitutional amendments and measures referred to the people by the Thirty-first Legislative Assembly shall be referred to them at the special election of June 7, 1921. The Constitution of the state also provides that all measures referred to the people, whether by the Legislative Assembly or by the people on initiative petition, shall be referred to the people at the next biennial general election unless the legislature shall order a special election.

The law authorizing the special election provides specifically that measures referred to the people by the Thirty-first Legislative Assembly shall be referred to the people at such election, and the Constitution providing as it does except where a special election is ordered by the legislature, as was done at the last session of our legislature, it is apparent that Senate Bill No. 174 shall be included with the measures going before the people at the special election June 7, 1921.

We have, however, requested the Attorney General to give us his official opinion regarding the matter, and when it is given to us we will be pleased to transmit you a copy thereof. Should you change your address in the meantime, kindly advise us.

Yours very truly,  
SAM A. KOZER,  
Secretary of State.

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March 18th, 1921.

Dr. Owens-Adair,  
Bend Oregon, Care Pilot Butte Inn.  
Dear Doctor:

I shall do everything within my power to secure favorable consideration of your measure when it comes before the people at the next election.

I trust that your health may be greatly improved.

Yours very sincerely,  
WM. G. HARE,  
Attorney at Law, Hillsboro, Ore.

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April 4, 1921.

Mrs. Ida B. Callahan,  
Corvallis, Oregon.

Dear Mrs. Callahan:

Dr. Owens-Adair is in the office and we are talking over the campaign for her bill. Intensive work will have to be done among the club women so as to insure a large vote from that quarter. Naturally she turns to you for the leading suggestion.

Her thought in the matter is this—to ask you to appoint a campaign chairman for the club women whose duty it shall be to get to every club in the State a comprehensive idea of the bill and what it means to do. If each club in response to your message and the request of the Chairman you appoint will make it her business to organize her own club as a publicity committee for its own district, the success of measure will be assured.

If you will do this and send the names in to Dr. Adair, at the Portland Hotel, we will see that publicity matter is placed in their hands in sufficient quantity for distribution. Every avenue of publicity we can reach is to be organized in a similar manner. If any of the clubs will want speakers we

will be glad to furnish them. This is the plan of campaign we expect to follow for the Jury Bill.

Will you please advise Dr. Adair as soon as possible.

Yours very sincerely,  
MILLIE R. TRUMBULL,  
Secretary Federation of Women's Clubs.

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Corvallis, Oregon, April 6, 1921.

Dear Dr. Owens-Adair:

I approve the plan suggested in Mrs. Trumbull's letter in regard to publicity for your bill but as at a loss to know just which woman to select as chairman. It must be some one who has time and is enthusiastic about the measure. I shall need a little time to find some one to take charge of the work. Have you any suggestions to offer?

Yours very truly,  
IDA B. CALLAHAN,  
President Oregon Federation of Women's Clubs.

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Corvallis, Oregon, April 26, 1921.

Dear Dr. Owens-Adair:

I feel now that there is something on the way to promote your bill. Mrs. Alexander Thompson is going to help me and I hope we shall get some literature to the federated clubs very soon. I am writing to her to-night in answer to a letter which I received from her today.

I wish you would see Mrs. Buland and perhaps she would also help.

Yours truly,  
IDA B. CALLAHAN,  
President Oregon Federation of Women's Clubs.

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Portland, Oregon, April 27, 1921.

Dr. Owens-Adair,  
Portland Hotel, City.

My Dear Dr. Adair:

I have been instructed by the Board of the Oregon Civic League to advise you that the matter of your bill has been referred to our legislative committee in order that a resolution regarding same may be prepared for presentation to the League.

It was felt that, from information already given on the subject, the League would be in a position to take action as soon as the legislative committee has prepared suitable resolution.

Would you be kind enough to send to Mr. R. W. Montague, Yeon Bldg., City, a copy of your bill, immediately on receipt of this letter, in order that he may have it for reference in preparing his resolution? I tried to get you over the phone, today, to make this request of you, but evidently you were not in.

Sincerely yours,  
G. M. AMOS,  
Secretary Oregon Civic League.

April 28, 1921.

Dr. Owens-Adair,  
Portland Hotel, Portland, Oregon.

Dear Madam:

The Kiwanis Club of Astoria has a luncheon every Thursday noon at the Y. W. C. A. We would like to have you, if you will do so, come and give us a talk of about twenty five minutes on your bill which will be voted on June 7. We have no speaker at the present time for May 5, 12, or 19, and if you are willing to come, and one of those dates will suit you, please let me know at once.

We have about sixty of the principal business men of Astoria out to every luncheon, and I think that if you would talk to them, it would bear good results.

Yours truly,  
J. A. BUCHANAN, Secretary.

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Portland, Oregon, April 29, 1921.

My dear Dr. Adair:

I thank you sincerely for your kindness in writing the article on marriage laws for The Spectator. I shall try to get the story in this week, and know it will arouse a great deal of interest in the work you are trying to do.

I am enclosing the clippings you were good enough to send, and with very kind regards, and best of wishes for your success,

I am yours truly,  
HUGH HUME.

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Corvallis, Oregon, May 16, 1921.

Dr. Owens-Adair,  
Portland, Oregon.

My Dear Madam:

I am glad to acknowledge receipt of your valued communication, referring to the "Hygienic Marriage Examination and License Bill."

I want to assure you that I have long since favored such a law and shall do my best to secure votes for it at the coming June election.

Sincerely yours,  
F. A. SIKES,  
Editor Farmers Union News.

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Portland, Oregon, Oct. 20, 1921.

Dr. Owens-Adair,  
Warrenton, Oregon.

My dear Doctor:

Ever since last spring election, I have been trying to get time to write to you, telling you how much I appreciated the efforts you made to get your bill passed, and I helped all I could in my quiet way.

I am inclosing the advertisements that I paid for for several days before election day, hoping to win a few votes on the side of common sense. I also wrote several articles on the subject, and inclose those that were printed.

The bill did not pass, but it is keeping the subject before the public eyes and minds, and in time we shall win, and people will know enough to breed the human family as intelligently as the modern farmer breeds his stock.

Men are still phallic worshippers, and it is still wicked to interfere with their god, and in the name of all that is high and holy, they must still permit their sex emotions to run riot.

I hope you will be able to bring the bill before the voters at next election, and receive majority vote.

With many kind wishes for you personally, and for the success of your bill, I am sincerely,

ELLA K. DEARBORN,  
U. of M. 1888, Homeopathic Dep't.

## FARMERS' EDUCATIONAL AND CO-OPERATIVE UNION OF AMERICA

Department of Oregon and Southern Idaho

Dr. Owens-Adair,  
Hotel Portland,  
Portland, Oregon.

La Grande, Oregon, December 2, 1922.

My dear Doctor:

I wish to thank you for your very kind letter of recent date.

I am in full sympathy and accord with your effort to better humanity. I may mention it in my message. I am considering at least. I will help you all I can in securing legislation that you and I both believe is so necessary to preserve the human race.

Very truly yours,

WMP:CEB

WALTER M. PIERCE.



# APPENDIX

## TEXTS OF STERILIZATION LAWS OF THE UNITED STATES

### CALIFORNIA

#### (Chapter 363, Statutes of 1913)

Section 1. Before any person who has been lawfully committed to any state hospital for the insane, or who has been an inmate of the Sonoma State Home, and who is afflicted with hereditary insanity or incurable chronic mania or dementia shall be released or discharged therefrom, the state commission in lunacy may in its discretion, after a careful investigation of all the circumstances of the case, cause such person to be asexualized, and such asexualization whether with or without the consent of the patient shall be lawful and shall not render the said commission, its members or any person participating in the operation liable either civilly or criminally.

Sec. 2. Whenever in the opinion of the resident physician of any state prison it will be beneficial and conducive to the benefit of the physical, mental or moral condition of any recidivist lawfully confined in such state prison, to be asexualized, then such physician shall call in consultation the general superintendent of state hospitals and the secretary of the state board of health, and they shall jointly examine into the particulars of the case with the said resident physician, and if in their opinion or the opinion of any two of them, asexualization will be beneficial to such recidivist, they may perform the same; provided, that such operation shall not be performed unless the said recidivist has been committed to a state prison in this or some other state or country at least two times for rape, assault with intent to commit rape, or seduction, or at least three times for any other crime or crimes, and shall have given evidence while an inmate of a state prison in this state that he is a moral or sexual degenerate or pervert; and provided, further, that in the case of convicts sentenced to state prison for life, who exhibit continued evidence of moral and sexual depravity, the right to asexualize them, as provided in this section, shall apply whether they shall have been inmates of a state prison in this or any other country or state more than one time or not; provided, further, that nothing in this act shall apply to or refer to any voluntary patient confined or kept in any state hospital of this state.

Sec. 3. Any idiot if a minor, may be asexualized by or under the direction of the medical superintendent of any state hospital, with the written consent of his or her parent or guardian, and if an adult, then with the written consent of his or her lawfully appointed guardian, and upon the written request of the parent or guardian of any such idiot or fool, the superintendent of any state hospital shall perform such operation or cause the same to be performed without charge therefor.

Sec. 4. An act entitled "An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prison," approved April 26, 1909, is hereby repealed.

**(Chapter 489, Statutes of 1913)**

Section 1. Section one of the act entitled "An act to provide for the asexualization of inmates of state hospitals for the insane, the Sonoma State Home, of convicts in the state prisons, and of idiots, and repealing an act entitled 'An act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons,' approved April 26, 1909," approved June 13, 1913, is hereby amended to read as follows:

Section 1. Before any person who has been lawfully committed to any state hospital for the insane, or who has been an inmate of the Sonoma State Home, and who is afflicted with mental disease which may have been inherited and is likely to be transmitted to descendants, the various grades of feeble-mindedness, those suffering from perversion or marked departures from normal mentality or from disease of a syphilitic nature, shall be released or discharged therefrom, the state commission in lunacy may in its discretion, after a careful investigation of all the circumstances of the case, cause such person to be asexualized, and such asexualization whether with or without the consent of the patient shall be lawful and shall not render the said commission, its members or any person participating in the operation liable either civilly or criminally.

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CONNECTICUT

**(Gen. Statutes of Conn. Revision of 1918)**

Section 2691. Operation to prevent procreation. The di-

rectors of the state prison and the superintendent of the state hospitals for the insane at Middletown and Norwich are authorized and directed to appoint for each of said institutions respectively two skilled surgeons, who in conjunction with the physician or surgeon in charge at each of said institutions, shall constitute a board the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden, superintendent or the physician or surgeon in charge, to be persons by whom procreation would be inadvisable. Such board shall examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and if, in the judgment of said board, procreation by any such person would produce children with an inherited tendency to crime, insanity, feeble-mindedness, idiocy or imbecility, and there is no probability that the condition of any such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall appoint one of its members to perform the operation of vasectomy or oophorectomy, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination and the surgeon performing such operation shall receive, from the state such compensation for services rendered as the warden of the state prison or the superintendent of either of such hospitals shall deem reasonable.

Sec. 2692. Penalty for unlawful operation. Except as authorized by Sec. 2691, every person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in said section, for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such person, unless the same shall be a medical necessity, shall be fined not more than one thousand dollars or imprisoned in the state prison not more than five years or both.

**(Chapter 69, Public Acts of Conn. 1919)**

Section 2691 of the general statutes is amended to read as follows: The directors of the state prison and the superintendents of the state hospitals for the insane at Middletown and Norwich and the superintendents of the Mansfield State Training School and Hospital at Mansfield Depot are authorized and directed to appoint for each of said institutions two skilled surgeons, who, in conjunction with the physician or surgeon in charge at each of

said institutions, shall constitute a board the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden or superintendent or the physician or surgeon in charge, to be persons by whom procreation would be inadvisable. Such board shall examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and if, in the judgment of a majority of said board, procreation by any such person would produce children with an inherited tendency to crime, insanity, feeble-mindedness, idiocy or imbecility and there is no probability that the condition of any such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall appoint one of its members to perform the operation of vasectomy, or oophorectomy, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination and the surgeon performing such operation shall receive from the state such compensation for services rendered as the warden of the state prison or the superintendent of either of such hospitals shall deem reasonable.

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## INDIANA

### (Chapter 215, 1907)

Whereas, Heredity plays a most important part in the transmission of crime, idiocy and imbecility.

Therefore, Be it enacted by the General Assembly of the State of Indiana, that on and after the passage of this act, it shall be compulsory for each and every institution in the state entrusted with the care of confirmed criminals, idiots, rapists and imbeciles, to appoint upon its staff, in addition to the regular institutional physicians, two skilled surgeons of recognized ability, whose duty it shall be, in conjunction with the chief physician of the institution to examine the mental and physical condition of such inmates as are recommended by the institutional physician and board of managers. If, in the judgment of this committee of experts, and the board of managers, procreation is inadvisable and there is no probability of improvement of the mental and physical condition of the inmates, it shall be lawful for the surgeon to perform such operation for the prevention of procreation as shall be decided safest and most effective. But this operation shall not be performed except in cases that have been pronounced unimprovable.

Provided, that in no case shall the consultation fee be more than \$3.00 to each expert, to be paid out of the funds appropriated for the maintenance of such institution.

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## IOWA

(Comp. Code of Iowa, 1919)

Section 2040. Sterilization Authorized—Consent of Husband and wife. Whenever the superintendent of any state hospital for the insane and a majority of this medical staff shall, after investigation and examination, agree that it is for the best interests of the patient and society, they are hereby authorized to perform or cause to be performed by some capable physician or surgeon, the operation of sterilization of any patient confined in said institution afflicted with insanity, idiocy, imbecility, feeble-mindedness or syphilis; provided that said operation is approved by the board of control or a majority of the members thereof; and provided further that the superintendent of the hospital shall have secured the written consent of the husband or wife, if the patient is a married person, and if an unmarried person, the written consent of the parent, guardian or next of kin, if any there be within this state, that said operation be performed.

Section 2041—Operation Defined. The operation to be performed upon a male person shall be what is known as vasectomy, and upon a female patient what is known as section of the fallopian tubes with implantation in the uterine muscles.

Section 2042—Annual Report. The board of control shall make an annual report to the governor of the state fully covering their proceedings under the authority of the two preceding sections, and also their observations and statistics regarding its benefits.

Section 2043.—Unauthorized Operation, Penalty. Except as authorized in section 2040 every person, who shall perform, encourage, assist in, or otherwise promote the performance of either of the operations described in section 2041 for the purpose of destroying to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such person, unless the same shall be a medical necessity shall be fined not more than one thousand dollars or imprisoned in the penitentiary not to exceed one year, or both.

## KANSAS

## (Chapter 299, Laws of Kansas, 1917)

Section 1. That the warden of the state penitentiary, the superintendent of the Hutchinson Reformatory, the superintendent of each of the State Hospitals for the Insane, the State Hospital for Epileptics, the State Home for Feeble-minded, or the State Industrial School for Girls, shall certify in writing to the governing board of the institution of which he or she is warden or superintendent, that he or she believes that the mental or physical condition of any inmate would be improved thereby or that procreation by such inmate would be likely to result in defective or feeble-minded children with criminal tendencies, and that the condition of such inmate is not likely to improve so as to make procreation by such person desirable or beneficial to the state, it shall be lawful to perform a surgical operation for the sterilization of such inmate as hereafter provided, and shall not render the board of examiners, its members, or any person participating in the operation liable either civilly or criminally. But before such operation shall be performed a written notice shall be served on such inmate, and guardian, if there be one, of the time and place of a meeting and hearing at least thirty days prior thereto; and said inmate shall have the right to be represented by counsel and may introduce such evidence as may be desired.

Section 2. For the purpose of carrying into effect the provisions of this act, the chief medical officer of any such institution, the governing board of such institution, and the secretary of the State Board of Health shall constitute a board of examiners for such institution.

Section 3. When the warden or superintendent of any such institution shall deem it advisable that such operation be performed on any one or more of the inmates, it shall be his or her duty to make such recommendation in writing, signed by him or her, to the chairman of the governing board of such institution, whereupon the chairman of such governing board shall forthwith call a meeting of such board of examiners, to be held at such institution at a date not more than 15 days after the issuance of such call. The call shall clearly set forth the date and object of such meeting and shall contain the names of all inmates whose cases are to be considered at such meeting.

Section 4. At such meeting such board of examiners shall diligently inquire into the mental and physical condition of each

inmate so considered, and as far as practicable into his or her family history, and for that purpose any member of said board may administer an oath to any witness whom it is desired to examine.

Section 5. After fully inquiring into the condition of each such person, such board of examiners shall make separate written findings for each of the persons whose condition has been inquired into and such findings shall either order that such inmate be sterilized or not, and if the board in its findings order sterilization for the inmate, it shall, in its findings, designate what operation is to be performed and its purpose; if a male person, either the operation of vasectomy or asexualization; of a female, either the operation of salpingectomy or oophorectomy and shall designate some competent surgeon, who may either be connected with such institution or otherwise, who shall perform the operation. If the surgeon is not connected with such institution, the governing board can make reasonable terms for compensation and such fee shall be paid from the fund provided for the maintenance of such institution in the manner provided by law.

Section 6. Such institution shall keep all files in any proceedings under this act and full minutes of such meetings, and for that purpose the chief medical officer of such institution shall be the secretary of such board of examiners and custodian of its records.

Section 7. Except as authorized by this act, every person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in this act, for the purpose of destroying the power to procreate the human species, unless the same shall be a medical necessity, shall be fined not less than \$100.00, nor more than \$500.00 and imprisoned in the county jail not less than six months nor exceeding one year.

Section 8. Sections 9967, 9968 and 9969 of the General Statutes of 1915 are hereby repealed.

Section 9. This act shall take effect and be in force from and after its publication in the statute book.  
(Approved March 13, 1917).

## MICHIGAN

(Comp. Laws Mich., 1915).

(5176) Section 1. Authority is given to the management of any institution maintained wholly or in part by public expense, in whose custody may be held individuals who have been by a court of competent jurisdiction adjudged to be and who are mentally defective or insane, to render incapable of procreation, by vasectomy or salpingectomy or by the improvement of said surgical operation which is least dangerous to life and will best accomplish the purpose, any person who is mentally defective or insane.

(5177) Section 2. The boards of the aforesaid institutions the physicians or surgeons in charge of each of said institutions, shall for each of their respective institutions constitute a board, the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden or medical superintendent to be persons by whom procreation would be inadvisable. Such board shall receive the report of insanity experts hereinafter mentioned, examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and if in the judgment of a majority of said board, procreation by any such person would produce children with an inherited tendency to insanity, feeble-mindedness, idiocy or imbecility, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall direct a competent physician or surgeon with such other assistants as may be necessary, to perform the operation of vasectomy or salpingectomy or any other operation or improvement on vasectomy or salpingectomy recognized by the medical profession, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination, and the institution physician or surgeon shall receive no extra compensation therefor: Provided, that at least thirty days' notice shall be given to the parents or guardian of such person before the performing of such operation: Said notice to specify the purpose, time and place of such examination. Provided, further, that when said parents or guardian object to the performance of such operation, then the question of the sanity of such person shall be referred to the probate court of the county in which the institution is located where the question of the sanity



and the necessity for this operation shall be determined as in other insane cases before such courts.

(5178) Section 3. In case an institution has no physician at its head authority is given to the board of managers to cause such operation to be performed, to hire expert physicians to examine and report on the condition of the subject, and to perform the operation with such other assistants as may be necessary: Provided, before said operation is ordered there shall first be secured from two physicians having qualifications prescribed by law for examiners in insanity, a written statement or report that such operation is desirable in the interests of the patient or the good of the community. And provided further, that these physicians shall be allowed for their services the compensation fixed by statutes for the examination and certification of an insane person. The several sums necessary to carry out the provisions of this act shall be certified to be correct by the respective boards and shall be paid out of the general fund of the state upon the warrant of the auditor general.

(5179) Section 4. In relation to each individual person sterilized under the provisions of this act, the board of control of the institution in which said person is an inmate shall file with the state board of public health of Michigan, a written record setting forth the name, age, sex, nationality, type or class of mental defectiveness of said person, the nature of the operation performed, the subsequent mental and physical condition as affected by said operation. Provided, that said records shall not be for public inspection, but may be open to inspection of the members of the board of control, of the aforesaid institutions and of the members of the immediate family of the person operated upon, or any physician or surgeon designated by them.

(5180) Section 5. Except as authorized by this act, every person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in section one of this act, for the purpose of destroying the power to procreate the human species, or any persons who shall knowingly permit either of such operations to be performed upon such persons, unless the same shall be a medical necessity, shall be guilty of a felony, and upon conviction thereof shall be fined not more than one thousand dollars or imprisoned in the state prison not more than five years, or both in the discretion of the court before whom the said person or persons were so convicted.

## NEBRASKA

## (Chapter 237, Law of Nebraska, 1915)

Section 1. Hereafter no feeble-minded, or insane inmate, physically capable of bearing or begetting offspring, shall be paroled or discharged from the institution for the feeble-minded, or the hospital for the insane, nor paroled from the penitentiary, reformatory, industrial home, industrial schools or other such state institutions, except as hereinafter provided, or by order of a court of competent jurisdiction.

Section 2. Immediately after the act shall have gone into effect the board of commissioners of state institutions shall designate five physicians from the medical staffs of the state institutions under their jurisdiction, to constitute a board of examiners of defectives, three of which physicians shall be appointed from the institution for feeble-minded youth and the hospital for the insane. Three members of such examining board shall constitute a quorum, and every determination or order of said board must be concurred in by at least three members thereof. The members of said board of examiners shall receive no compensation for their services as such examiners, but shall be reimbursed their actual and necessary traveling expense from the funds of the respective institutions whose inmates are examined by them. The personnel of said board of examiners may be changed from time to time by said board of commissioners of state institutions as may be found necessary or convenient.

Section 3. It shall be the duty of the examiners to examine into the innate traits, the mental and physical conditions, the personal records, and the family traits and histories of all inmates who may be subject to parole or discharge from the institution for the feeble-minded, hospitals for the insane, the penitentiary, reformatory, industrial schools, industrials home, or other such state institution, and if after a careful examination and investigation, such board of examiners find that such inmate is feeble-minded, or insane, that such inmate is capable of bearing or begetting offspring, that children born or begotten by such inmate would inherit a tendency to feeble-mindedness, insanity, or degeneracy, that such children would probably become a social menace and that procreation by such inmate would be harmful to society, and that such inmate should not be paroled or discharged, as the case may be, unless sterilized, then in every such case it shall be a condition prerequisite to the parole or discharge of such inmate that said inmate be made sterile, and that operation be performed for the

prevention of procreation as in the judgment of said board of examiners shall be most appropriate to each individual case.

Section 4. Before any such operation shall be performed the nature, character and consequence of such operation shall be fully explained to such inmate and to the husband, wife, parent, guardian or nearest kin, as the case may be, and the assent of such inmate so far as said inmate is capable of assenting thereto.

Section 5. Said operation shall be performed at the institution of which such person is an inmate in the presence of a member of the examining board, and either by one of the surgeons on the staff of a state institution or by some surgeon selected and paid by the husband, wife, parent, guardian or nearest of kin of said inmate.

(This act was not approved by the governor but became operative without his signature).

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## NEVADA

### (Nevada Rev. Laws 1911)

Section 6293. Whenever any person shall be adjudged guilty of carnal abuse of a female person under the age of ten years, or of rape, or shall be adjudged to be a habitual criminal the court may, in addition to such other punishment or confinement as may be imposed, direct an operation to be performed upon such person, for the prevention of procreation: Provided, the operation so directed to be performed shall not consist of castration.

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## NEW JERSEY

### (Compiled statutes of New Jersey, First Sup. 1911-1915, p. 1493)

Whereas, heredity plays a most important part in the transmission of feeble-mindedness, epilepsy, criminal tendencies, and other defects:

Section 1. Immediately after the passage of this act the Governor shall appoint by and with the advice of the senate, a surgeon and a neurologist, each of recognized ability, one for a term of three years and one for a term of five years, their successors each to be appointed for the full term of five years, who in conjunction with the Commissioner of Charities and Corrections

shall be known as and is hereby created the "Board of Examiners of Feeble-minded (including idiots, imbeciles and morons) Epileptics, Criminals and other Defectives," whose duty it shall be to examine into the mental and physical condition of the feeble-minded, epileptic, certain criminals and other defective inmates confined in the several reformatories, charitable and penal institutions in the counties and state. Any vacancy occurring in said Board of Examiners shall be filled by appointment of the governor for the unexpired term.

Section 2. The criminals who shall come within the operation of this law shall be those who have been convicted of the crime of rape, or of such succession of offenses against the criminal law as in the opinion of this board of examiners shall be deemed to be sufficient evidence of confirmed criminal tendencies.

Section 3. Upon application of the superintendent or other administrative officers of any institution in which such inmates are or may be confined, or upon its own notion, the said board of examiners may call a meeting to take evidence and examine into the mental and physical condition of such inmates confined as aforesaid, and if said board of examiners in conjunction with the chief physician of the institution, unanimously find that procreation is inadvisable and that there is no probability that the condition of such inmate so examined will improve to such extent as to render procreation by such inmate advisable, it shall be lawful to perform such operation for the prevention of procreation as shall be decided by said board of examiners to be most effective, and thereupon it shall be and may be lawful for any surgeon qualified under the laws of this state, under the direction of the chief physician of such institution, to perform such operation; previous to said hearing the said board shall apply to any judge of the Court of Common Pleas, of the county in which said person is confined for the assignment of counsel to represent the person to be examined, said counsel to act at said hearing and in any subsequent proceedings and no order made by said board of examiners shall become effective until five days after it shall have been filed with the Clerk of the Court of Common Pleas, of the county in which said examination is held, and a copy shall have been served upon the counsel appointed to represent the person examined, proof of service of the said copy of the order to be filed with the Clerk of the Court of Common Pleas. All orders made under the provisions of this act shall be subject to review by the Supreme Court or any justice thereof and said court may upon appeal from any order grant a stay which shall be effective until such plea shall

have been decided. The Judge of the Court of Common Pleas appointing any counsel under this act may fix the compensation to be paid him and it shall be paid as other court expenses are now paid.

No surgeon performing an operation under the provisions of this law shall be held to account therefor, but the order of the board of examiners shall be full warrant and authority therefor.

Section 4. The record taken upon the examination of every such inmate, signed by the said board of examiners, shall be preserved in the institution where such inmate is confined and a copy thereof filed with the Commissioner of Charities and Corrections, and one year after the performing of the operation the superintendent or other administrative officer of the institution wherein such inmate is confined shall report to the board of examiners the condition of the inmate and the effect of such operation upon such inmate. A copy of the report shall be filed with the record of the examination.

Section 5. There shall be paid, out of the funds appropriated for maintenance of such institutions, to each physician of said board of examiners, a compensation of not more than ten dollars per diem for each day actually given to such work or examination, and his actual and necessary expenses in going, to holding and returning from such examination.

When in the judgment of the board of examiners it is necessary to secure the assistance of a surgeon outside the medical staff of the institution, to perform or assist in said operation, the necessary expenses of such surgeon shall be paid from the maintenance account of such institution.

Section 6. If any provisions of this act shall be questioned in any court, and the provisions of this act with reference to any class of persons enumerated therein shall be held to be unconstitutional and void, such determination shall not be deemed to invalidate the entire act, but only such provisions thereof with reference to the class in question as are specifically under review and particularly passed upon by the decision of the court.

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## NEW YORK

### (Art. 19, Chapter 445, Laws of 1912)

Section 350. Immediately after the passage of this act, the governor shall appoint one surgeon, one neurologist and one prac-

tioner of medicine, each with at least ten years' experience in the actual practice of his profession, for a term of five years, to be known as the board of examiners of feeble-minded, criminals and other defectives, which board is hereby created. The compensation of the members of such board shall be ten dollars per diem for each day actually engaged in the performance of the duties of the board, and their actual and necessary traveling expenses. Any vacancies occurring in said board shall be filled by appointment of the governor for the unexpired term.

Section 531. It shall be the duty of the said board to examine into the mental and physical condition and the record and family history of the feeble-minded, epileptic, criminal and other defective inmates confined in the several state hospitals for the insane, state prison, reformatories and charitable and penal institutions in the state, and if in the judgment of the majority of said board procreation by any such person would produce children with an inherited tendency to crime, insanity, feeble-mindedness, idiocy or imbecility and there is no probability that the condition of any such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall appoint one of its members to perform such operation for the prevention of procreation as shall be decided by said board to be most effective.

The criminals who will come within the operation of this law shall be those who have been convicted of the crime of rape or such succession of offenses against the criminal law as in the opinion of the board shall be deemed to be sufficient evidence of confirmed criminal tendencies.

Section 352. The board of examiners shall apply to any judge of the supreme court or county judge of the county in which said person is confined, for the appointment of counsel to represent the person to be examined. Said counsel to act at a hearing before the judge and in any subsequent proceedings and no order made by said board shall become effective until five days after it shall have been filed with the clerk of the court and a copy shall have been served upon the counsel appointed to represent the person examined and proof of service of said copy of the order to be filed with the clerk of the court. All orders made under the provisions of this act shall be subject to review by the supreme court or any justice thereof, and said court may upon appeal from any order grant a stay which shall be effective until such appeal shall have been decided. The judge of the court appointing any coun-

sel under this act may fix the compensation to be paid him. No surgeon performing an operation under the provisions of this act shall be held to account therefor. The record taken upon the examination of every such inmate signed by the said board of examiners shall be preserved by the institution where said inmate is confined and one year after the performance of the operation the superintendent or other administrative officer of the institution wherein such inmate is confined shall report to the board of examiners the condition of the inmate and the effect of such operation upon such inmate, and a copy of the report shall be filed with the record of the examination.

Section 353. Except as authorized by this act, every person who shall perform, encourage, assist in or otherwise permit the performance of the operation for the purpose of destroying the power to procreate the human species or any person who shall knowingly permit such operation to be performed upon such person unless the same shall be a medical necessity, shall be guilty of a misdemeanor.

#### **(Chapter 619, Laws of 1920)**

Section 1. Article nineteen of chapter forty nine of the laws of nineteen hundred and nine, entitled "An act in relation to public health, constituting chapter forty five of the consolidated law," as such article was added by chapter four hundred and forty-five of the laws of nineteen hundred and twelve, is hereby repealed.

Section 2. This act shall take effect immediately.  
(Became a law May 20, 1920).

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### **NORTH DAKOTA**

#### **(Chapter 56, Session Laws, 1913)**

Section 1. Whenever the warden, superintendent or head of any state prison, reform school, state school for feeble minded, or of any state hospital or state asylum for insane shall certify in writing that he believes that the mental or physical condition of any inmate would be improved thereby, or that procreation by such inmate would be likely to result in defective or feeble-minded children with criminal tendencies, and that the condition of such inmate is not likely to improve, so as to make procreation by such person desirable or beneficial to the community, it shall be lawful

to perform a surgical operation for the sterilization of such inmate as hereafter provided.

Section 2. For the purpose of carrying into effect the provisions of this act, the chief medical officer of any such institution, the secretary of the state board of health, and one other competent physician and surgeon whose appointment is hereinafter provided for, shall constitute the board of examiners for such institution. The third member of such board shall be a competent physician and surgeon of good standing and of at least ten year's practice of his profession in North Dakota, who shall forthwith be appointed by the State Board of Control, and who shall serve during the pleasure of said Board of Control. One such appointment may be made in each county in which one of such institutions is located, or one may be appointed to act for any two or more of such institutions to be named in the letter of appointment. The per diem compensation of such member so appointed shall be fixed by the State Board of Control in the letter of appointment, and shall not be in excess of \$10.00 per day, while in actual performance of their duties; a duplicate of this letter shall be filed with the state auditor, and the per diem and actual necessary expenses of such member shall be allowed and paid in the same manner as is provided for by law for the payment of the salaries and expenses of the members, agents, and employees of the State Board of Control.

Section 3. When the superintendent of any such institution shall deem it advisable that such operation be performed on any one or more of the inmates thereof, he shall make such recommendation in writing, signed by him, and file one copy thereof with the Board of Control and one of the chief medical officers of such institution, whereupon the chief medical officer of such institution shall forthwith call a meeting of such board of examiners to be held at such institution at a date not less than fifteen days after the issuance of such call, and such call shall be in writing signed by such chief medical officer, and shall clearly set forth the date and object of such meeting, and shall contain the names of all inmates whose cases are to be considered at such meeting.

Section 4. At such meeting such board of examiners shall diligently inquire into the mental and physical condition of each inmate so considered, and as far as practicable, into his family history, and for that purpose any member of said board may administer an oath to any witness whom it is desired to examine, and such hearing may be adjourned from day to day, and, if necessary sessions may be held elsewhere than at such institution.



Section 5. After fully inquiring into the condition of each such person such board of examiners shall make separate written findings for each of the persons whose condition has been inquired into, and such findings shall either order that such inmate be sterilized by such operation as may be deemed best, or shall find that sterilization is not necessary or desirable, or shall continue the case to a time and place therein named or upon future call, for further observation and inquiry; and such hearing shall be conducted according to the provisions of Section 4 of this Act. If such board in its findings order such operation upon such inmate, it shall, in such finding, designate what operation is to be performed, and its purpose, and shall designate some skilled surgeon, who may or may not be one of their own number, who shall perform it.

Section 6. Such institutions shall keep all files in any proceeding under this act, and full minutes of all such meetings, and for that purpose the chief medical officer of such institution shall be the secretary of such board of examiners and custodian of its records.

Section 7. When in the opinion of the chief medical officer of any such institution, such operation would be necessary or desirable upon any inmate thereof, for any of the purposes herein set forth, and such inmate requests in writing that such operation be performed or consents thereto in writing, he may perform or procure the performance of such operation without bringing the matter to the attention of such board of examination. When any such operation is performed under the provisions of this section, it shall be the duty of the chief medical officer who performs or procures the performance of such operation to immediately report to the State Board of Control the details of such operation, upon such blanks as the Board of Control may prescribe.

Section 8. Whenever the state's attorney of any county shall have reason to believe that any person who shall be convicted of felony, has been twice or more previously convicted of felonies in North Dakota or elsewhere, it shall be the duty of such state's attorney to investigate and to secure at the expense of the county, transcripts of record of conviction from other counties and states, and also such evidence of identification as may be obtained. Such proof when obtained shall be forwarded to the State Board of Control, who shall thereupon notify the chief medical officer of the institution to which such person is committed, and the secretary of the State Board of Health and such case shall be dealt with in accordance with the procedure stated in section 1 of this

Act, that no such operation shall be performed without the consent of the board of control.

Section 9. No surgeon who shall skillfully perform any operation as authorized by this act shall be held accountable therefor, but the finding and order of this said board of examiners or the court, or the consent of such inmate and parents or guardian shall be his full warrant and authority therefor.

Section 10. It shall be the duty of the chief medical officer of any such institution in which any sterilized inmates are confined, to make careful observation of each of such inmates, particularly with the view of ascertaining the effect of such operation upon the moral, mental and physical condition of such sterilized persons, and once a year, and oftener if called for by the governor, to make report on each of such persons in writing, keeping a copy of such report on file in such institution, and furnishing copies to the governor, the State Board of Control, the secretary of the state board of health.

Section 11. Emergency. Whereas, heredity plays a most important part in the transmission of crime, insanity, idiocy and imbecility, and our institutions for degenerates are overcrowded on account of the lack of adequate means of checking the ever increasing numbers of this class; and whereas, there is now no provision in law authorizing an operation for the sterilization of defective persons, this act shall take effect and be in force from and after its passage and approval.

Approved March 13, 1913.

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## OREGON

### (From Oregon Laws 1920)

8448. There is hereby established and constituted for the state of Oregon a "state board of eugenics," which shall be composed of the state board of health, the superintendent of the Oregon state hospital, the superintendent of the Eastern Oregon hospital, the superintendent of the state institution for feeble-minded, and the superintendent of the Oregon state penitentiary, whose duties shall be as hereinafter defined. The secretary of the state board of health shall serve as the secretary of said board, and the members of said board shall serve without compensation.

8449. It shall be, and it is hereby declared, the duty of the

superintendent of the Oregon state hospital, the superintendent of the Eastern Oregon state hospital, the superintendent of the state institution for feeble-minded, and the superintendent of the Oregon state penitentiary and the state health officer to report quarterly on the first of January, April, July and October, to the state board of eugenics, all feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits, would probably become a social menace, or a ward of the state.

8450. It shall be the duty of the state board of eugenics to examine into the innate traits, the mental and physical conditions, the personal records, and the family traits and histories of all persons so reported so far as the same can be ascertained, and for this purpose said board shall have the power to summon witnesses, and any member of said board may administer an oath to any witness whom it is desired to examine; and if in the judgment of a majority of the said board procreation by any such person would produce children with an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality or degeneracy, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then it shall be the duty of said board to make an order directing the superintendent of the institution in which the person is confined and if not so confined, directing the state health officer to perform or cause to be performed upon such person a type of sterilization as may be deemed best by said board.

8451. The purpose of said investigation, findings and orders of said board shall be for the betterment of the physical, mental, neural, or psychic condition of the person, or to protect society from the menace of procreation by said person, and not in any manner as a punitive measure; and no person shall be emasculated under the authority of this act except that such operation shall be found to be necessary to improve the physical, mental, neural or psychic condition of such person.

8452. After fully inquiring into the condition of each of such persons said board shall make separate written findings for each of the persons whose condition has been examined into, and the same shall be preserved in the records of the said board, and a copy thereof shall be furnished to the official who reported the case, and if an operation is deemed necessary by said board, then

a copy of the order of said board shall forthwith be served on said person, or in case of an insane person upon his legal guardian, and if such insane person have no legal guardian, then upon his nearest known kin within the state of Oregon, and if such insane person have no known kin within the state of Oregon, then upon the custodian guardian of such insane person.

8453. Any such person desiring to appeal from the decision of the said board, or in case the person is under guardianship or disability, then the guardian of said person, may take an appeal to the circuit court. An informal notice of appeal filed with the secretary of said board, either by the person or someone in his behalf, shall be all that is necessary to make the appeal; provided, that said notice shall be filed within fifteen days of the date when notice of the board's decision is served on such person or his guardian, and said notice of appeal shall stay all proceedings of said board in said matter until the same is heard and determined on said appeal; provided, further, that no operation shall be performed upon any person until the time for appeal from the decision of the board has expired.

8454. Upon an appeal being taken, the secretary of the said board where the notice of appeal is filed, must within fifteen days thereafter, or such further time as the court or judge thereof may allow transmit a certified copy of the notice of appeal and transcript of the proceedings, findings and order of the board, to the clerk of the court appealed to. The trial shall be a trial de novo at law as provided by the statutes of the state for trial of actions at law. Upon such appeal, if the appellant be without sufficient financial means to employ an attorney to represent the said appellant, and such attorney shall be compensated by the state upon order of the court; and it shall be the duty of the district attorney of the county wherein such trial is had to represent the said board.

8455. If the court or jury shall affirm the findings of said board, said court shall enter a judgment, adjudging that the order of the said board shall be carried out as herein provided; if the court fail to affirm the decision of said board appealed from, then said order shall be null and void and of no further effect.

8456. Upon the receipt of the order from the state board of eugenics provided for in section 8450, the superintendent of the institution to which it is directed shall, after the time for appeal has expired, or in case of appeal upon entering of a judgment affirming the order of the board, and it is hereby made his lawful duty, to perform, or cause to be performed, such surgical opera-

tion as may be specified in the order of the state board of eugenics. All such operations shall be performed with due regard for the physical condition of the inmate and in a safe and humane manner.

8457. The fact that a person has been committed and is an inmate of any institution for feeble-minded, or hospital for insane, maintained by the state of Oregon, or is a criminal who has been convicted three or more times of a felony in the courts of any state and sentenced to serve in the penitentiary therefor, or is a moral degenerate or sexual pervert who is addicted to the practice of sodomy or the crime against nature, or to other gross, bestial or perverted sexual habits and practices prohibited by statute, shall be prima facie evidence that procreation by any such person would produce children with an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality or degeneracy.

8458. The provisions of the foregoing ten sections of this act shall apply to all persons within the state of Oregon procreation by whom would produce children with an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality or degeneracy.

8459. The state shall be liable, under this act, only for the actual traveling expenses of the members of the board incurred in the performance of their duties, and the actual and necessary expense incident to the investigations of said board and an appeal therefrom.

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## SOUTH DAKOTA

(South Dakota. Revised Code 1919 V. 2. Art. 10, Sec. 5538)

5538. It shall be the duty of the superintendent of the state home for feeble-minded persons to examine into the mental and physical condition, the records and family history of the inmates of said institution with a view of determining whether it is improper or inadvisable to allow any such inmates to procreate, and to make an annual report of said examinations to the State Board of Charities and Corrections. It shall be the duty of said board with the superintendent of said institution to carefully examine the record of each inmate and to determine whether it is improper or inadvisable to allow any such inmate to procreate, and if a majority of them, including such superintendent, decide that procreation by any of said inmates would produce children with a tendency to disease, feeble-mindedness, idiocy or imbecility, or, if the mental condition of any such inmate will probably be materially im-

proved thereby, then the physician of the institution or one selected by him, shall perform the operation of vasectomy or ligation of the fallopian tubes as the case may be, upon such person. The superintendent of the home for feeble-minded shall keep a record of all inmates operated on with statistics and notes of observation regarding its benefits, and make an annual report to the Governor of all inmates operated on, with the recorded results of said operation.

Source Chapter 236, 1917.

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## WASHINGTON

### (From Pierce's Code, 1921)

Section 8722. Whenever any person shall be adjudged guilty of carnal abuse of a female person under the age of ten years, or of rape, or shall be adjudged to be an habitual criminal, the court may, in addition to such other punishment or confinement as may be imposed, direct an operation to be performed upon such person, for the prevention of procreation.

### (Chapter 53, Laws of 1921)

Section 1. It shall be and is hereby declared the duty of the superintendents of all state institutions having the care of individuals held in restraint to report quarterly to the institutional board of health, all feeble minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits, would probably become a social menace or wards of the state.

Sectoion 2. It shall be the duty of the Institutional Board of Health to examine into the innate traits, the mental and physical conditions, the personal records, and the family traits and histories of all persons so reported so far as the same can be ascertained, and for this purpose said board shall have the power to summon witnesses, and any member of said board may administer an oath to any witness whom it is desired to examine; and if in the judgment of a majority of the said board procreation by any such person would produce children with an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality or degeneracy, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any

such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then it shall be the duty of said board to make an order directing the superintendent of the institution in which such inmate is confined to perform or cause to be performed upon such inmate such a type of sterilization as may be deemed best by said board.

Section 3. The purpose of said investigation, findings and orders of said board shall be for the betterment of the physical mental, neural, or psychic condition of the inmate, or to protect society from the menace of procreation by said inmate, and not in any manner as a punitive measure; and no person shall be emasculated under the authority of this act except that such operation shall be found to be necessary to improve the physical, mental, neural or psychic condition of the inmate.

Section 4. After fully inquiring into the condition of each of such inmates said board shall make separate written findings for each of the inmates whose condition has been examined into, and the same shall be preserved in the records of said board, and a copy thereof shall be furnished to the superintendent of the institution in which the inmate is confined, and if an operation is deemed necessary by said board, then a copy of the order of said board shall forthwith be served on said inmate, or in the case of an insane person, upon his legal guardian, and if such insane person have no legal guardian, then upon his nearest known kin within the State of Washington, and if such insane person have no known kin within the State of Washington, then upon the custodial guardian of such insane person.

Section 5. Any such inmate desiring to appeal from the decision of said board, or in the case the person is under guardianship or disability, then the guardian of said inmate may take an appeal into the superior court of the county in which the institution in which the inmate is confined, is located. An informal notice of appeal filed with the secretary of said board, either by the inmate or someone in his behalf, shall be all that is necessary to make the appeal; provided, said notice shall be filed within fifteen days of the date when notice of the board's decision is served on the inmate or his guardian, and said notice of appeal shall stay all proceedings of said board on said matter until the same is heard and determined on said appeal; provided, further, that no operation shall be performed, upon any inmate until the time for appeal from the decision of the board has expired.

Section 6. Upon an appeal being taken, the secretary of said

board where the notice of appeal is filed, must within fifteen days thereafter, or such further time as the court or the judge thereof may allow, transmit a certified copy of the notice of appeal and transcript of the proceedings, findings and order of the board, to the clerk of the court appealed to. The trial shall be a trial de novo at law as provided by the statutes of the state, for the trial of actions at law. Upon such appeal, if the inmate be without sufficient financial means to employ an attorney, then the court shall appoint an attorney to represent the said inmate, and such attorney shall be compensated by the state upon order of the court; and it shall be the duty of the district attorney of the county wherein such trial is had to represent the said board.

Section 7. If the court or jury shall affirm the findings of said board, said court shall enter a judgment, adjudging that the order of said board shall be carried out as herein provided; if the court fail to affirm the decision of said board appealed from, then said order shall be null and void and of no further effect.

Section 8. Upon the receipt of the order from the Institutional Board of Health, the superintendent of the institution to which it is directed shall, after the time for appeal has expired, or in case of appeal upon the entering of a judgment affirming the order of the board, and it hereby made his lawful duty, to perform, or cause to (be) performed such surgical operation as may be specified in the order of the Institutional Board of Health. All such operations shall be performed with a due regard for the physical condition of the inmate and in a safe and humane manner.

Section 9. No surgeon performing the operation provided for in the preceding section under the direction of the superintendent, or other officer in charge of such institution, shall be held criminally liable therefor or civilly liable for any loss or damage on account thereof, except in case of negligence in the performance of such operation.

Section 10. The criminals who shall come within the operation of this law shall be those who have been convicted three or more times of a felony and sentenced to serve in the penitentiary therefor.

Moral degenerates and sexual perverts are those who are addicted to the practice of sodomy or the crime against nature, or to other gross, bestial and perverted sexual habits and practices prohibited by statute.

Section 11. The provisions of this act shall apply to both



male and female inmates of any of the institutions designated herein.

Section 12. The state shall be liable, under this act, only for the actual traveling expenses of the members of the board incurred in the performance of their duties, and the actual and necessary expense incident to the investigations of said board and an appeal therefrom, which shall be paid upon vouchers signed by the person receiving such compensation and expense from the moneys appropriated for the maintenance of the institution where such examination is held.

Passed by the House February 17, 1921.

Passed by the Senate March 2, 1921.

Approved by the Governor March 8, 1921.

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## WISCONSIN

### (Wis. Statutes, Chap. 4612)

(1) The state board of control is hereby authorized to appoint, from time to time, one surgeon and one alienist of recognized ability, whose duty it shall be, in conjunction with the superintendents of the state and county institutions who have charge of criminal, insane, feeble-minded and epileptic persons, to examine into the mental and physical condition of such persons legally confined in such institutions.

(2) Said board of control shall at such times as it deems advisable submit to such experts and to the superintendent of any of said institutions the names of such inmates of said institution whose mental and physical condition they desire examined, and said experts and the superintendent of said institution shall meet, take evidence and examine into the mental and physical condition of such inmates and report said mental and physical condition to the said board of control.

(3) If such experts and superintendent unanimously find that procreation is inadvisable, it shall be lawful to perform such operation for the prevention of procreation as shall be decided safest and most effective; provided, however, that the operation shall not be performed except in such cases as are authorized by the said board of control.

(4) Before such operation shall be performed, it shall be the duty of the state board of control to give at least thirty days'

notice in writing to the husband or wife, parent or guardian if the same shall be known, and if unknown, to the person with whom such inmate last resided.

(5) The said experts shall receive as compensation a sum to be fixed by the state board of control, which shall not exceed ten dollars per day and expenses, and such experts shall only be paid for the actual number of days consumed in the performance of their duties.

(6) The record taken upon the examination of every such inmate shall be preserved and shall be filed in the office of said board of control at Madison, Wisconsin, and semi-annually after the performing of the operation, the superintendent of the institution wherein such inmate is legally confined, shall report to said board of control the condition of such inmate and the effect of such operation upon such inmate.

(7) The state board of control shall report biennially in its regular biennial report the number of operations performed under the authority of this section and the result of such operations.

(Stats. 1917s 561jm; 1919c. 328s. 19).

This lecture is submitted by Dr. Adair to show the trend of thought 39 years ago. Heredity and eugenics were little known as such at that time.

LECTURE

on

HYGIENIC AND PRE-NATAL INFLUENCES

Delivered Before the

**WOMAN'S CHRISTIAN TEMPERANCE UNION**

By Mrs. Dr. B. A. Owens

of Portland, Oregon

State Superintendent of the Department of Heredity  
and Hygiene of the State Woman's Christian  
Temperance Union

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### Hygienic and Pre-Natal Influence

Hygiene is the science of Health. It embraces the laws of health which relate to the individual, the family, the sexes, the community.

It pertains to the care of the mind as well as the body. It teaches the condition of health and the cause of disease. It instructs us how to secure the one and avoid the other.

Obedience to its laws gives us healthy bodies, vigorous and active minds, with strong and forcible will power, which is the balance wheel or controlling power of the complex mechanism of every human being.

It is necessary to understand and obey the laws of hygiene if we would either enjoy this life or do well any useful work for humanity.

The body and mind are so intimately and sympathetically related, that if the physical machinery is out of repair or fails to work smoothly, the mind and disposition must necessarily suffer; which not only renders the individual himself unhappy, but all with whom he comes in contact.

Elizabeth Churchill says: "Doubtless God could keep one in a holy and patient frame of mind, who constantly violated every law of health, but there is not the least warrant for believing that he ever did, or ever will do so, because if human suffering means anything, it means that we are to learn by it."

"Not only to learn spiritual truths, but that soul and body are like yoked oxen—if one lies down the other must or be sorely cramped. No delusion is more common than that illness is conducive to saintliness, and that God sends sickness upon us to make us holy.

"On the contrary, sickness is the penalty of wrong doing, either by ourselves or by our ancestors, and in many cases should make us ashamed and truly penitent. The most devout Christian will have the night-mare if he eats half a mince pie before going to bed, and a crusty temper the next morning, and his spiritual agonies will not save him in the future unless he adds to his faith, knowledge."

Carlyle was a notable example of this statement. His work was painfully marred and vitiated by his sour, morose and selfish daily life. His dyspeptic habit of regarding all the world as

wretched as himself, and his lack, in later years, of faith in God and man was a sad commentary.

Had he but understood and obeyed the laws of hygiene, had he not made and kept himself a crotchety dyspeptic by constantly irritating his sensitive nervous organism by irregular habits and the constant use of that poisonous narcotic, tobacco, it is not likely that the world would ever have been filled with the noise of his mournful jeremiads over the miserable worthliness of mankind.

We believe that a total disregard of hygienic laws was the principle cause of the gloom and unhappiness of this great writer, who became at last, from force of habit, in spite of all his lofty utterances about heroism, the great growler.

It has been said, and with much truth too, that physicians are rendered a necessity through the ignorance and intemperance of humanity. I believe that seven-tenths of all the human ills could be prevented if the laws of hygiene were thoroughly understood and obeyed. For example—look at the hundreds of people who walk our streets groaning under the superabundance of accumulated adipose tissue or fat—a condition that every well informed physician knows today to be an abnormal one—a condition, too, which is entirely within the control of the person himself. He has but to exercise his will, control his appetite and select his diet in order to regulate his body weight. I will assure him who is thus afflicted, that for this sacrifice—and, indeed, it is a great sacrifice, which requires no small effort to deny the demands of a pampered and indulged stomach—he will be rewarded with untold blessings.

His muscular tissue will regain its elasticity, his mind will become again clear and active—his heart will be required to labor less vigorously—while respiration will be less laborious and locomotion less impeded. Last, but not least, "the form divine" will take on the semblance of its former self and return within bounds of recognition. Adipose tissue is but stored up fuel, a reserve force, to be drawn upon at any time in case of necessity. Our bodies, in this respect, resemble store-houses which should at all times be well supplied, but if over-filled the foundation becomes weakened and insecure. Understanding this to be true, why should we, by intemperance in eating and drinking, jeopardize our lives and render ourselves less competent to perform the essential duties of this life?

Calmness, patience, thoughtfulness, courage and happiness are such important aids in living this life, that we ought to make it a prime object to secure to ourselves, and to our children such

knowledge as will enable us to keep sound minds in sound bodies, that we may do well all that may be required of us.

If one be born strong, physically and mentally, of healthy intelligent parents, the best possible foundation is laid for a useful and happy life.

Parents should bring up their children judiciously, in obedience to nature's laws; allowing them plenty of exercise in the pure open air and sunshine; should feed them upon plain nourishing food, and provide them with warm loose clothing, which will protect them from cold and not impede their growth or interfere with muscular activity.

The mind, like the body, should receive pure and wholesome nourishment. Nothing is more detrimental to the young than impure associates and trashy literature, such as dime novels. With proper physical and mental training, the young are better prepared to meet and resist the many temptations by which they are surrounded through life.

I believe it is the duty, also, of parents to teach their children the laws that govern the relation of the sexes, that they may avoid the quicksands of bitter experience that engulf the happiness of thousands. For effect follows cause in this as in every other department of life or nature.

"Be not deceived, for whatsoever a man soweth that shall he reap," should be indelibly daguerreotyped upon every intelligent brain. If every youth and maiden could be taught, and could be made to feel and understand the truth of this declaration, how pure in thought, word and deed would be the next generation.

Men and women who thoroughly understand and obey the laws of their being in relation to each other, will be mutually healthful and elevated, and greatly benefited and blessed by and through that association; while those who disregard these laws will inevitably suffer the most disastrous consequences, even though they sin ignorantly.

In all nature, penalty inexorably follows violation of law. That the sexes should live and labor together is a law of nature, which is exemplified in every family. And when the law is violated, as it is done in separate schools for boys and girls, the bad results are soon seen. Boys deprived of the refining influences of girls, become, as a rule, coarse and barbarous in their sports, and often-times contract habits they would blush to confess. Girls, missing

that strong, embracing, magnetic influence which surrounds a brave manly boy, are apt to become one-sided and frivolous in their mental development. Therefore, both sexes acquire false ideas of each other, which they would not do were they side by side in the same class room. Both miss just that influence that each should exert over the other, and for lack of obedience to this law of family and social life, many a bright boy has gone to ruin, and many an intelligent girl has failed to develop the mental power of which she gave promise at the district school in early childhood.

Few will deny that the general effect of the daily association of the sexes is conducive not only to the most vigorous mental growth, but to the purest morality and the exhibition of the finest social and family qualities. And as the family is the basis of all social, religious and political life, everything that tends to make it purer, stronger and more harmonious should be most earnestly advocated.

No where do we see the good effects of co-education more marked than in the professional schools, and especially in the departments of Medicine and Surgery where gentleness and sympathy are of the greatest value and most highly appreciated.

Who more than the poor feverish sufferer can appreciate the guarded step, the gentle voice filled with anxious solicitude, the tender touch of the hand that gently smoothes the hot pillow, or tenderly presses the throbbing temple? Sympathy a patient should have. It is the Balm of Gilead which, poured into the wounded soul, lubricates the frictionized machinery and reduces the tension at the sensitive nerve centers. These qualities, combined with strength of character, and strengthened by a thorough scientific knowledge of the human system and the uses of medicine and remedies, constitute the qualities most desirable in a physician.

The daily association of men and women in the lecture room, the clinic, the hospital and by the bedside, has mutually benefited both men and women in the profession. She has received strength and courage from her brother student and physician, who, unlike herself, has been taught self-reliance from babyhood. In return for these, she imparts to him gentleness, sympathy and patience.

How people shall be born and reared, so that they shall attain to the highest happiness and usefulness in this life, is a question of vital importance, and one that is beginning to attract the attention of scientists, who are already advocating the prevention of the propagation of criminals and paupers. It is a lamentable fact that criminals, paupers, idiots and lunatics are on the increase, and it

is full time that we should wake up to the realization of the meaning of this.

It is right and noble to cure, to relieve, and to educate the diseased and insane, the epileptic, or the idiot. But would it not be far better and more noble to prevent all such degeneracies? In April, 1880, the Academy of Natural Science held its annual meeting in Washington City, and spent the greater part of one session in gravely considering the peculiar method of the propagation of the *bletta occidentalis*, or the house cockroach. Now this may be a subject of great importance, but to my mind the importance dwindles into nothing as compared to the propagation of human beings. And I can not understand why we should shrink from a study, and a full solution, of a subject that is, above all others, of the most vital importance, both to the present and future generations.

Every anatomist, physiologist and chemist will not hesitate to affirm that the general principles which rule over the life processes in animals, rule equally in the vital processes of man. Considering this fact from any stand-point, we can but be surprised at the little attention paid to this all important subject.

For years special attention has been paid, and large sums of money have been expended, for the special improvement of the dumb animals; and so thoroughly is this science understood, through long research and inquiry, that experts, who are interested in stock raising, know almost to a certainty that they can produce just the kind of animal desired. They are acquainted with all the peculiar habits and traits of character of each particular race or family, and by blending or crossing these breeds the desired progeny may easily be produced.

This science is so well recognized and understood that an allusion to it seems to shock no one. And our most respectable newspapers devote much space to our blooded horses and cattle, pointing out their merits and demerits, and laying special stress upon the origin of each particular trait of character.

Even the sweet, fresh young girl understands and delights in the cultivation and improvement of her fruits and flowers, and discourses learnedly upon the science which she has studied and been taught as a beautiful accomplishment. But when the subject of stirpiculture, or human propagation, is broached, we are rebuked, and reminded that it is an indelicate subject, and we are plainly told that God created us just as we are for some great and wise purpose of His own. How revolting to think for one moment of



holding God responsible for the idiocy, the insanity, the disease and the suffering that is propagated and born into the world.

Science is fast lifting the veil of darkness and superstition, and is teaching us that humanity is and must be just what we make it.

We do not expect to reap a good harvest from poor seed sown upon inferior ground; then why should we expect superior mental and physical qualities from inferior parents. A superior tree may, from some cause, produce inferior fruit; but do we or can we expect superior fruit from an inferior tree.

The Industrial Liberator says: "The other day we ran across two books which, side by side, furnish some curiosity. One was a family genealogy in a family Bible. The other was the pedigrees of the 'American Short Horn Herd Book.' What beautiful names and what perfect stock the latter contained. There were 'princes' and 'queens,' 'dukes' and 'kings,' from the 'Rose of Sharon' down to the 'Pride of the Prairie.'

"In the other category there were thirteen scrubby children—they were born and conceived in iniquity. One died a murderer, one an idiot, one girl a confirmed invalid, one a decrepit pauper, and the rest were ciphers."

Why were these children born? Can any one say for some wise purpose? We answer, nay.

We must assign the title of "Scrub Stock" to this family, for that is the class to which they justly belong; while the other will be recognized and acknowledged to be "thoroughbred."

A few years ago there were on exhibition in New York two typical animals—one was a child, ten years of age, who was stamped by hereditary influences; the other was a calf belonging to Mr. Campbell, of New York Mills. Whenever this boy sat down to a table he began going through with the motions of a gambler, shuffling cards; then, as if in deep reverie, would he stop and stare; after which, in his imagination, he would deal them around the table. When he arose to walk, it was with the staggering and reeling motion of a drunkard; his eyes were bleared and had the appearance of being bloodshot. This boy was born so.

The calf was advertised for sale and brought \$2,700, the largest sum ever paid for so young an animal. Gentlemen came from England and France to compete for the ownership of this beautiful and valuable animal. Was not this calf cheap at any price? and was not the boy equally as dear?

Can we ask for stronger proof of hereditary or parental influence than this? But we need not leave home for proofs of this law. Whichever way we turn, if we would but observe, we can see the imprints of heredity, both for good and for evil, stamped upon humanity. "It is the sacred right of every child to be well born," and to bring about this result we must begin at the beginning. Men and women must be impressed with the sanctity of human life.

In April, 1880, a president of a North Carolina college wrote a pitiful letter to the Christian Union, asking aid. He says he has a sickly wife and fourteen scrofulous children. Rev. C. F. Baily, in the Biblical Union, says: "We are as much surprised at him as we are at the quantity and quality of his children. Help him, brethren, by all means, but with the understanding that he is not to enlarge his family."

It is, indeed, encouraging to find a clergyman who reasons from cause to effect, and expresses surprise and disgust for a man who stands at the head of an educational institution who thus publicly and shamelessly exposes his ignorance and lust. Men and women should be held responsible for the moral and physical condition of their children, and they should not be justified nor allowed to burden the state or their friends with their deformities, their vices and their weaknesses.

In working out this great problem of race-culture, we must at all times hold fast to truth, and make it superior to all else. Bishop Watson has said: "Whosoever is afraid of submitting any question, civil or religious, to the test of free discussion, seems to me to be more in love with his own opinion than with truth."

We have learned that humanity is subjected to elevation or degradation through hereditary transmission and hygienic influences; therefore, it is the duty of the present generation to improve the moral and physical conditions of the next generation.

One of the most striking illustrations of the transmission of hereditary traits is offered us by the history of that remarkable family who were the offspring of the woman known as "Margaret, the mother of criminals." The number of persons whose blood relation has been traced directly to this woman is five hundred and forty; those related by marriage one hundred and sixty-nine. The normal condition of this family has been pauperism; their special vices, drunkenness and licentiousness. They have nearly all been, in one way or another, criminals. They have exhibited the most extraordinary list of diseases, malformations and

anomalies ever yet known. Only twenty of the men ever became skilled workmen—one-half of that number learned their trades in state's prisons. Of the seven hundred and nine, one hundred and eight have been paupers, and eighty depending upon charity. Accounting for the criminals, their trials and the expense of maintaining them after conviction, with all the other expenses, this family has cost the state of New York, for the seventy-five years computed, the enormous sum of one million three hundred and eight thousand dollars.

The offspring of rich but intemperate parents are usually weak, nervous and excitable, which predispose them to morbid conditions, both of body and mind yet wealth gives them great advantage over those who occupy the lower grades of life; as through it they receive mentally and physically the beneficial influences of hygiene, which, within itself, means a great deal. Children born in abject poverty receive as an inheritance only misery and privation, and their cravings for the commonest necessities of life prompt them to the commission of crimes and the indulgence of their hereditary traits, in order that their immediate wants and sufferings may be relieved. And thus the powerful influence of habit is cultivated and strengthened day by day, which drags them on and on in the wrong direction, and renders them less and less susceptible to any good or moral influence.

It has been said that we are a bundle of habits. The truth of this assertion is apparent to every observing person. Look at the musician, note the wonderful movements of his hands and fingers, we know that his accomplishment comes through the systematic training of the muscles of those parts of his body. It is truly wonderful how susceptible both the body and mind are to cultivation—and the more either receives, the greater will be its capacity for receiving.

While in Boston, I saw a young lady on exhibition who was born without arms. She had, through patient trial, trained and educated her feet to do her double service. She could write, sew, feed herself and do almost any kind of fancy work nicely. She sat upon her cushion for several hours each day, selling specimens of her work and entertaining people by her various accomplishments, and teaching them by her example, lessons of courage and self-reliance. When I looked upon this poor girl, who had accomplished so much with so little, I felt rebuked and ashamed that I had ever felt discouraged or had grumbled at the misfortunes or hardships of my life. It was a lesson that has served me well.

As a rule, we become slaves to habits of one kind or another. If we are trained, or will train ourselves to think right and to do right, then we will have few temptations to do wrong. This power of habit soon becomes a monster and forces obedience, both mentally and physically.

"Vice is a monster of such lurid mien  
That to be hated, needs but to be seen;  
But seen too oft, familiar with his face,  
We first endure, then pity, then embrace."

When first tempted to do wrong, before becoming enslaved, we will, in the natural order of things, suffer great remorse of conscience. If we persist in this course of wrong doing, the finer sentiments of our nature will become blunted—in time, calloused, then obliterated. If we contract habits of intemperance, the system first rebels, then yields to its subtle power; after which, through this force of habit, it demands as a necessity the continuation of the habit.

Ask him who uses tobacco why he uses it. He will tell you that it affords him great pleasure. We ask, is this true? No. it is not true—it is not a pleasure, but a necessity. He first disgusted, punished and forced his system to accept this poisonous narcotic, and now his system justly punishes him by forcing him to continue its use. And just here will be seen the force of a law which never varies. It is this—"over-stimulation brings about a corresponding sedation." In other words, the deceived victim is simply wretched without the continued stimulant of this vile narcotic—and to give up its use, he must suffer through his nervous system untold torture for weeks, yea, perhaps months and even years. Few, very few, have the moral courage or will power to say that "I will forever rid myself of this monster," and keep the vow. In order to accomplish this, there must be a pressure brought to bear in the way of a stimulant, and, as a rule, this stimulant comes through the affections, or through a delicate sense of duty, honor and justice.

Just so with alcohol, opium and other narcotics when the habit is once formed it becomes master and he the slave. Gradually but surely it gains possession, crowding out the finer sensibilities, weakening the will power, and destroys all that is beautiful, noble and refining in manhood or womanhood.

It has been asked—can a smoker be an honorable man? We

all know that in cars, on steamboats, and all public places, except in smoking rooms and smoking cars, we all have, or should have, the right to the pure fresh air; and no one should have any more right to take it from us than they have to take the purse from our pocket. If it is stealing to take the purse from our pocket, what is it to poison and render obnoxious the air which we breathe? But the habit of infusing this stench in the air for others to breathe is so common a thing to do, that it is not looked upon to be even indecent. How often do we see people crossing the street to avoid the stench of tobacco, or rushing ahead to pass some one who is puffing away at an old pipe or cigar, rendering filthy the air for at least a block behind him, and never seeming to think for a moment that he is infringing upon the rights of others? How often do we see men walk to the counter of coffee houses and restaurants and deliberately proceed to light a cigar and fill the room with tobacco smoke—and that, too, when perhaps a dozen ladies and children are partaking of their food? And this is often done by men whom we know and recognize as gentlemen. This serves to show the force of example and habit.

Once I had a friend, a good man, but an inveterate smoker. He sometimes smoked in my presence, and several times puffed smoke in my face, "just for fun." He could not appreciate or understand how annoying and offensive it was to me. A few months later, while in San Francisco, he was confined to his room for several weeks with the measles. Being a sea captain, he had many friends and numerous callers, and all knowing his great fondness for the weed, no one thought of leaving his pipe or cigar outside. But our likes and dislikes in health oftentimes undergo radical changes in sickness, and we absolutely refuse to receive that in which we delight most in health. And so in this case; his whole nature raised up in arms and rebelled at the very sight of "the vile stuff," and he reproached and abused his friends for bringing it into his presence, or for being perfumed with it. He said it had been a good lesson for him and one that would be beneficial, for it had taught him how purely selfish and thoughtless bad habits will make one; and in the future he would try to be just to others if he could not be to himself.

One of the greatest aids to success in life is a good physical condition. A weak and irritable stomach will reflect itself in the character. A chronic dyspeptic never was nor never can be a saint. How often are we rendered restless, disagreeable, spiteful, and even mean, by simply overloading our stomach, which interferes with and disturbs our nervous system.

The operations of hereditary and hygienic laws, the effects of luxury and ease, poverty and hardship, all combine to make man what he is and to establish individual and national characteristics.

In conclusion, I will add a few lines on the hygiene of that very important organ—

### The Skin

“There’s a skin without and a skin within,  
A covering skin and a lining skin;  
But the skin within is the skin without,  
Doubled inwards, and carried completely throughout.

“The palate, the nostrils, the windpipe and throat,  
Are, all of them, lined with this inner coat,  
Which through every part is made to extend —  
Lungs, liver, and bowels, from end to end.

“The outside skin is a marvelous plan  
For exuding the dregs of the flesh of man;  
While the inner extracts from the food and air  
What is needed the waste in his flesh to repair.

“While it goes well with the outside skin,  
You may feel pretty sure all’s right within;  
For, if anything puts the inner skin out  
Of order, it troubles the skin without.

“The doctor, you know, examines your tongue  
To see if your stomach or bowels are wrong ,  
If he feels your hand is hot and dry,  
He is able to tell you the reason why.

“Too much brandy, whiskey or gin,  
Is apt to disorder the skin within;  
While, if dirty or dry, the skin without  
Refuses to let the sweat come out.

“Good people all! have a care of your skin!  
Bathe that without and that within.  
To the first you should give plenty of soap;  
To the last little else besides water, we hope.

"But always be very particular where  
You get your water, your food and your air  
For if these be tainted or rendered impure,  
It will have its effect on your blood, to be sure.

"The food which will ever for you be the best,  
Is that you like most, and can soonest digest.  
All unripe fruit and decaying flesh  
Beware of, and fish that is not very fresh.

"Your water, transparent and pure as you think it,  
Had better be filtered and boiled ere you drink it;  
Unless you know surely that nothing unsound  
Can have got to it over or under the ground.

"But of all things most, I would have you beware  
Of breathing the poison of once breathed air.  
When in bed, whether out or at home you may be,  
Always open your window and let it in free.

"With clothing and exercise keep yourself warm,  
And change your clothes quickly if drenched in a storm;  
For a cold caught by chilling the outside skin  
Flies quickly to the delicate lining within.

"All you who kindly take care of your skin,  
And attend to its wants without and within,  
Need never of cholera feel any fears,  
And your skin may last you a hundred years."

## ANSWER TO CRITICISM

Portland, April 21, 1885.

To the Editor:—I beg space to reply to "Saloon Defender" in yours of the 20th who would make sport of our worthy nominee E. C. Bronaugh who comes boldly forward and declares that he is an enemy of whiskey, which is the acknowledged curse of our country. I admit that the whiskey traffic has been required to assist in the building of our penitentiaries, jails and insane asylums; but I assert that it has furnished nine-tenths of all the occupants of these lamentable institutions. This is no wild assertion. Every lawyer and every doctor of eminence and ability knows that is true. A bright young lawyer said to me the other day while discussing this subject, "Well I know that nine-tenths of all divorces and troubles in families are caused by whiskey, and I should like to see it go." In conversation with our estimable Governor Thayer last week on prohibition he said, "I think perhaps nine-tenths of all the inmates of the penitentiary, in this state may owe their incarceration to liquor, but don't think you can claim that percentage of our insane." My answer was that the cause was certainly one and the same, but the trouble is that while the cause is apparent and easily traced in the case of convicted criminals, it is in the majority of cases, obscure and hard to trace in the insane.

Hear what the eminent A. B. Palmer (Dean of the University of Michigan) has to say on this vital subject, who has been a professor of theory and practice for more than thirty years, he has been honored and quoted as authority by the great scientists, both in Europe and our own country. He says, "every permanent condition of the organism; every habit of body or mind in the parent, has an influence greater, or less, upon the qualities and tendencies of the offspring. We can make ourselves what we will, only within certain limitations, and our innate propensities, at least however they may be controlled, are received from our ancestors, and are apt to govern us. Morbid qualities of a mild character in the parent may be exaggerated in the offspring. Thus inebriety with its perversions in the parent, may become idiocy or insanity in the child, and moderate drinking in the father creating an appetite which in him is controlled may produce drunkenness in the son or dipsomania in the son or grand son, which may be beyond control." Add to this the distinguished surgeon of London, Henry Thompson, who says: "Few are aware of the great mischief done by the moderate use of fermented liquors."

"I ask should parents in their ignorance be allowed to poison the blood of their innocent and helpless offspring? Should men and women be allowed to contract disease and vicious habits, and with them propagate and bring forth mental and physical monstrosities with which to curse our land? Should our government have no will, in these important matters? Must we forever be forced to build institutions with iron bars and grated doors to protect society? No, Sir! we believe the time has come when our people shall be made to realize and understand the importance of these great questions, which involve the life and well-being of our nation."

It has been 25 years since I wrote the above for the press, since then, crime and insanity have increased with alarming rapidity. At that time Sterilization was unknown, and to prevent propagation, by the more severe measure, was not to be considered. But now, we have found the remedy and all that we ask is that Legislatures all over these United States will give us their sanction, and that each state may boast a governor who will consider it an honor to sign the bill which will make it a law. In conclusion I will say that every person who reads this little volume will confer a great favor upon me, if he or she will begin at once, the discussion of the subject



matter express their views freely pro and con. Discussion is what we want. I have an abiding faith that no unselfish person, with common understanding and with a spark of humanity in his heart, can read the statistics and opinions of so many good and wise men and women and not become a convert. This is not an unclean subject. It is God's plan for the creation of human life, the highest and noblest of all creations; for did not God 'himself' breathe the breath of life into man; that breath is the life everlasting, the spiritual, the immortal part of man, the soul that can never, never die.

## PROPOSED LEGISLATION FOR OREGON

The proposed bills have been prepared by the Attorney General at the request of the State Board of Eugenics and may undergo changes before and after they reach the legislature.

## A BILL

FOR AN ACT to provide for the sterilization of all feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts who are a menace to society, or whose physical, mental or neural condition would be benefited by sterilization in any form, or who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits would probably become a social menace or wards of the state, and providing the means for ascertaining who are such persons.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF  
OREGON

## STATE BOARD OF EUGENICS

Section 1. **How Constituted—Secretary.** There is hereby established and constituted for the state of Oregon, a "State Board of Eugenics," which shall be composed of the state board of health, the superintendent of the Oregon state hospital, the superintendent of the Eastern Oregon state hospital, the superintendent of the state institution for feeble-minded, the superintendent of the Oregon state penitentiary, whose duties shall be as hereinafter defined. The secretary of the state board of health shall serve as the secretary of said board, and the members of said board shall serve without compensation.

Section 2. **Quarterly Reports to by Superintendents of State Boards.** It shall be, and it is hereby declared, the duty of the superintendent of the Oregon state hospital, the superintendent of the state institution for feeble-minded, and the superintendent of the Oregon state penitentiary and the state health officer to report quarterly on the first of January, April, July and October, to the state board of eugenics, all persons, male or female, who are feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are, or in his opinion are likely to become a menace to society, or whose physical, mental or

neural condition would, in his opinion, be benefited by sterilization in any form, or who are persons potential to producing offspring who, because of inheritance of inferior or anti-social traits, would probably become a social menace, or wards of the state.

**Section 3. Examination of Persons Reported—Sterilization.** It shall be the duty of the State Board of Eugenics to examine into the innate traits, the mental and physical condition, the personal records, and the family traits and histories of all of the persons so reported, so far as the same can be ascertained, and for this purpose said board shall have the power to subpoena witnesses, which subpoena shall be issued by said board and served in like manner and with like effect as subpoenas in criminal cases in the circuit court and any member of said board may administer an oath to any witness whom it is desired to examine in such proceeding; and if in the judgment of a majority of said board procreation by such person would produce a child or children having an inherited tendency to feeble-mindedness, insanity, epilepsy, criminality or degeneracy, or who would probably become a social menace or ward of the state, and there is no probability that the condition of such person so investigated and examined will improve to such an extent as to avoid such consequences, or that the physical, mental or neural condition of any such person will be substantially improved thereby, then it shall be the duty of such board to make an order embodying its conclusions with reference to such person in said respects and specifying such a type of sterilization as may be deemed by said board best suited to the condition of said person and most likely to produce the beneficial results in the respects specified in this section.

**Section 4. Written Findings—Record of—Service of Copy.** After fully inquiring into the condition of each of such persons, said board shall make separate written findings and conclusions for each of the persons into whose condition it has examined, including its findings, conclusions and order thereon as herein provided, and the same shall be preserved in the records of said board and a copy thereof shall be furnished to the official who reported the case, and if an operation be deemed necessary by said board for such person so investigated, then a copy of the order of said board recommending such operation, shall be served forthwith on said person, or in the case of an insane or feeble-minded person, upon his legal guardian, and if such insane or feeble-minded person have no legal guardian, then upon his nearest known kin, or personal friend, within the state of Oregon, and if such person have no known kin or personal friend, within the

state of Oregon, then upon the custodian guardian of such insane person.

**Section 5. Purpose and Object to be Sought.** Said investigation, findings and orders of said board, shall be made with the purpose in view of securing a betterment of the physical, mental, neural or psychic condition of the person, or to protect society from the acts of such person, or from the menace of procreation by such person, and not in any manner as a punitive measure.

**Section 6. Operations to be Performed by Consent of Persons Concerned.** If any person whose condition has been examined and reported upon by said board as hereinbefore provided, shall consent to have the operation specified in the order of said board, performed, each operation shall thereupon be performed upon said person by or under the direction of the superintendent of the institution in which he is confined, if such person be an inmate of any of the state institutions herein mentioned, or if he is not an inmate of any of said institutions, such operation shall be performed by or under the direction of the state health officer. All such operations shall be performed with due regard for the physical condition of the person upon whom it is performed and in a safe and humane manner.

**Section 7. If Consent Not Given Trial to be Had.** If any such person shall not consent within twenty days from the service of such order upon him, to the performance of such operation, said Board of Eugenics, through its secretary, or other officer having charge of its records and files, within fifteen days thereafter, or such further time as the court or judge thereof may allow, shall file a transcript of its proceedings and of its said findings, conclusions and order with reference to said person with the county clerk of the county in which such person resides or may be found.

Upon the filing of such findings, conclusions and order with the county clerk, he shall issue a summons directed to such person and deliver the same to the sheriff together with a copy of such order prepared and certified by him, and it shall be the duty of said sheriff to forthwith serve said summons and copy of order upon said person therein named, who shall be required within twenty days after such service upon him, to enter his appearance in writing, with the county clerk in such case, or by appearing in person before said clerk, who shall thereupon enter the appearance of such person in such proceeding. If he be an insane or feeble minded person such appearance may be made by his guardian, if he have one; if not, then by his nearest of kin or near friend. If he be in any other state

institution, facilities shall be furnished him for making such appearance.

**Section 8. Court Procedure.** The issue thereby raised shall be whether the findings and conclusions of said board shall be affirmed by the court, and shall be tried in the circuit court of such county as a special proceeding in the same manner as a civil action at law in which the State of Oregon shall be the plaintiff and the person so summoned shall be the defendant. Each party shall have the same rights as to production of evidence and the case shall be tried in the same manner as any other civil action. In all such cases the district attorney of the county where such proceedings are tried, shall appear and prosecute such action on behalf of the state. If the defendant has no attorney and is unable to secure one, the court shall appoint an attorney from the membership of the bar of said county to conduct his defense, and such attorney shall be compensated by the state, upon order of the court. Upon the request of either party to such proceedings all questions of fact shall be tried by a jury.

**Section 9. Enforcement of Judgment.** If the findings and conclusions of the Board of Eugenics shall be affirmed by the court, the defendant shall be immediately placed in custody by the sheriff of said county, and may be admitted to bail by the court who shall fix the amount of such bail, and if not so admitted to bail, shall be held until the operation provided in such findings be performed.

**Section 10. Appeal to Supreme Court—Manner—Time.** Either party to said proceedings may take an appeal from the circuit court to the Supreme Court of this state in the same manner and within the same time, and with like effect, as appeals in other civil actions are taken, and such case shall be tried in the Supreme Court in the same manner as other appeals in actions at law.

**Section 11. Expense—State Liability.** The state shall be liable, under this act, only for the actual traveling expenses of the members of the board incurred in the performance of their duties, and the actual and necessary expense incident to the investigations of said board and on appeal therefrom.

**Section 12.** That Sections 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 8448, 8449, 8450, 8451, 8452, 8453, 8454, 8455, 8456, 8457, 8458, 8459, be and the same are hereby repealed.

## A BILL

FOR AN ACT To provide for the examination of all applicants for marriage licenses in regard to contagious or communicable venereal diseases and the mental fitness of such applicants to enter into a marriage contract as a condition precedent to the issuance of marriage licenses and the procedure and other matters relating thereto.

**Be It Enacted by the People of the State of Oregon.**

Section 1. It shall be unlawful for any county clerk in the State of Oregon to issue a marriage license to any person or persons applying for the same unless there has been filed with such county clerk a certificate of examination of each of the persons named in such license as to his or her health with reference to contagious or communicable venereal diseases and mentality as hereinafter provided, except that where such female person is 45 years of age or older she need not be so examined. If either or both of such applicants fail to pass the health and mental tests, such license shall not be issued unless or until one or both have been rendered sterile according to the rules and regulations provided therefor by the State Board of Health, and in no case shall any license issue or a marriage be solemnized where the certificate of examination shows a mental capacity of not to exceed that of a child of 12 years of age.

Section 2. Such examination shall be made by a regularly licensed physician competent to examine such applicants and whose certificate thereof shall be made under oath and, in addition to a statement of his findings as to the physical and mental qualifications of the applicants for a marriage license, said certificate shall contain a statement of the educational qualifications of the physician making such certificate.

Section 3. Such examination, unless the usual examination and tests made by physicians show positively the presence of communicable venereal disease or mental capacity of not more than 12 years, shall include in addition a blood test for communicable venereal disease in accordance with the rules established by the State Board of Health. The physician making the general examination and certificate herein required shall take from the applicant in each instance the necessary blood specimen and shall submit the same to the nearest medical laboratory which is maintained by the State, County, City or other municipality or at public expense,

or, if not so maintained, which will make the blood test herein provided free of charge.

If no such medical laboratory exists within the county where such blood test can be made free of charge, then the county court of such county is hereby authorized and directed to provide for the establishment and maintenance of such laboratory or to contract for the performance of such blood tests by any person or persons competent to do so, such competence to be established by the certificate of the State Health Officer.

The laboratory, upon receipt of any such blood specimen, shall forthwith make the required test and examination thereof and transmit to the physician forwarding such specimen its findings and report thereon. Such physician making the original examination of such applicant, upon the receipt of the findings and report upon the laboratory blood test, shall include a statement in triplicate of the results of such blood test so furnished to him in his certificate of examination one copy of which he shall deliver to the applicant, and one to the county clerk, and file the other one in his own office.

Section 4. It shall be the duty of the State Board of Health to formulate and adopt rules and regulations for the making of such examinations, both of the mental and physical fitness, as herein provided, which rules and regulations shall be followed by all physicians and other persons in making such examinations and tests.

Section 5. Any person applying for a marriage license and failing to pass the examination as to health and mentality as provided herein, who shall feel that the examination or conclusions therein were unfair, shall have the right to appeal to the county court of the county wherein he or she makes application for a marriage license, by filing the certificate furnished by the examining physician as hereinbefore provided with the county clerk of the county where such application for license must be made, together with a request to said clerk that the same be referred to the county court and thereupon said court shall cause a re-examination of said applicant to be made by a board consisting of three competent physicians or psychiatrists, or some of both, as the circumstances may require, to be selected by the said court, which physicians may in their discretion, forward another blood specimen to a different laboratory than the one making the former test. Said board shall make and file with the court a statement of

its findings as to the physical and mental fitness of said applicant, which findings and decision shall be final.

Section 6. The fees and charges for making the original examination and issuing the certificate shall be paid by the applicant therefor and shall not exceed the sum of \$5.00.

In case of an appeal to the county court as herein provided, the fees of the examining physicians and psychiatrists shall not exceed \$5.00 each and shall be paid by the county.

Section 7. That Sections 9737, 9738, 9739 and 9740, Oregon Laws, be and the same are hereby repealed.



### The Price He Paid

I said I would have my fling,  
And do what a young man may;  
And I didn't believe a thing  
That the parsons have to say.  
I didn't believe in a God  
That gives us blood like fire;  
That flings us into Hell because  
We answer the call of Desire.

And I said, religion is rot, and the laws of the  
courts are nil,  
For the bad man is he who is caught and  
cannot foot the bill,  
And there's no such place as hell,  
And heaven is only a truth  
When a man has his way with a maid, in the  
fresh, keen hour of youth.

And money can buy us grace, if it rings on the  
plate of the church,  
And money can neatly erase each sign of  
a sinful smirch.  
For I saw men everywhere  
Hot-footing the road of vice,  
And women and preachers smiled on them  
As long as they paid the price.

So I had my joy (?) of life;  
I went the pace of the town,  
And then I took me a wife,  
And started to settle down.  
I had gold enough, and to spare, for all the  
simple joys  
That belong to a house and home, and a  
brood of girls and boys.

I married a girl with health,  
And virtue, and spotless name;  
I gave, in exchange, my wealth,  
And a proud old family name.  
And I gave her the love of a heart

Grown sated and sick of sin;  
My deal with the Devil was all cleaned up,  
And the last bill handed in.

She was going to bring me a child;  
But when, in labor, she cried,  
With love and fear I was wild,  
But now I wish she had died,  
For the son she bore was blind,  
And crippled, and weak, and sore;  
And his mother was left a wreck,  
It was so she settled my score.

I said I would have my fling,  
And they knew the path I would go;  
Yet no one told me a thing  
Of what I needed to know.  
Folks talk too much of a soul  
From Heavenly joys debarred,  
And not enough of the babes unborn  
By the sins of their father's scarred!

—Ella Wheeler Wilcox.

## ABOUT THE AUTHOR



# ABOUT THE AUTHOR

## STATE STERILIZATION

(From the Medical Sentinel, May, 1913)

Henry Waldo Coe, M. D., Editor.

The recent passage of the Oregon Legislature of a bill which, in Section 1, states, "it is hereby declared that habitual criminals (persons convicted three or more times as of a felony), moral degenerates and sexual perverts are menaces to the public peace, health and safety," and which provides for the sterilization of these people, puts into the public eye prominently, Dr. Owens-Adair of Warrenton, Oregon, the authoress of the bill.

We are generally inclined to smile when any woman proposes to take the liberty of making sterile any man or set of men. The public understands the procedure to be to castrate the unfit, and many a man rustles in his seat nervously, wondering, if perchance, it might be his fate in some distant future moment, to walk an unbalanced period with lighter foot but heavier heart, through some untoward operation of this law.

Medical men and women, however, who are familiar with the law, know that it applies to both men and women, and that no appendage is to be removed in the operation. The tubes in the woman and the vas deferens in the man are to be occluded by incision or the deposit of a drop of carbolic acid, or other destructive agency. The sexual act is not to be circumvented, although procreation is prevented. Nature, as is usual in such cases, lessens the testicular discharge and quickly reabsorbs, and in time desire may pass away, in which case, as expressed by Dr. Adair, the individual cannot seriously complain if he does not have the thing he does not care for.

It is Dr. Adair's idea, that when thus sterilized, such feeble-minded as may be able to make a livelihood, may marry each other, go out from the state institutions and become producers instead of charges upon the state. As to the feeble-minded, the greatest danger is the propagation of a line of like persons, in the case of women. Many of these, while mentally defective, are otherwise physically of strong types, well built specimens of womanhood, and when married make, in truth, helpmates for

their husbands, who may not understand the importance of child production with such women. It is sterilization of these women which would cover the most important feature in the destruction of the power to propagate in the feeble-minded. The really feeble-minded, although they seem to possess strong native power of reproduction, are usually passive in sexual matters. The man, therefore, is rarely the object of attack, either through marriage or otherwise, of any woman, while the robust, well formed female mentally defective is quite often, if not in most cases where at large, taken by some man as a wife, or otherwise falls under conditions in which pregnancy may occur.

The treatment of the other classes under this bill at once suggests themselves to the medical man or woman as in accord with the modern trend of improving the breed of human beings, as well as the strains of horses, cattle and pigs, by the scientific adjustment of well acknowledged facts.

Dr. Adair is a remarkable woman.

She was the first woman to graduate from a regular medical college and to take up the practice of medicine upon the Pacific Coast. And she is still with us, so short a time ago, relatively, were women permitted the right, or considered to have brain enough, to practice the healing art.

Dr. Adair is one of Oregon's pioneers. She early showed that peculiar quality which, when troubles come, makes one able to meet and conquer difficulties.

She was determined to have a medical education. She began independent life at about 15 years of age as the wife of a rancher in Southern Oregon, helping to hew out a home there, first living in a tent under the trees in a veritable wilderness. Her husband was an indolent fellow, and she soon dispensed with him, for she was, although a little woman, a bundle of nerves, and wanted to forge forward.

Soon she opened a millinery store. Here she accumulated a sum of money, and after moving to Astoria, went to Philadelphia, and studied and graduated from the only school there open to women, an Eclectic school. After this she applied to Jefferson, but was denied admittance, but the Dean sent her to Ann Arbor, where she graduated from the regular school of the University of Michigan. She went to Chicago, and took up work at the Homeopathic school and in the Homeopathic Hospital. She wanted to know what all these schools meant. She then returned to Oregon

and opened up as a member of the regular school. Her advent into the profession, as narrated by Dr. Adair in her book, "Dr. Adair and some of her life experiences," which every doctor, and especially every woman physician, should read, met much opposition. Yet she succeeded and prospered. She then took up work in Europe. So hungry for knowledge was she that she spent all the money she had saved—some \$8,000—before returning to practice. Her life is a story of knowledge hunger, and of aspirations to be of use to her fellow man.

Early she saw the terrible effects of the propagation of those illy equipped for life's struggle, or of those who menace society, and for over thirty years has she been working for a bill for the prevention of propagation of children, of no use to themselves or the world, in the state of Oregon.

She has lived to see this law upon our own statute books, and also upon the statute books of seven other states. Her pioneer work along this line in Oregon, where conservatism was for so many years the watch word of the pioneer, bore fruit elsewhere before it did in Oregon. To attempt to take a step backward, as some in Oregon would make this state do, in this matter, should be frowned down by the medical profession of the state.

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## THE MOST DETERMINED PERSON I HAVE EVER KNOWN

### A Pioneer Woman Physician of the Northwest

#### First Prize Story

(From American Magazine, June, 1922)

Dr. Bethenia Owens-Adair recently celebrated at Paso Robles her eighty-second birthday. She was born in Missouri in 1840, and went with her parents across the plains by ox-team to Oregon in 1843. Educational advantages in those days were few, so Bethania had but little schooling. Her sister Diana was married at thirteen. She waited a year longer and was fourteen when she was married. At seventeen she had to face life for herself and baby.

She determined to give her son a college education, and to devote her life to service. She took in washing. A book of some

kind was always open before her. As she washed, she studied. She secured a school at ten dollars a month and board for herself and baby. She saved her money and started a millinery store. In a few years she had saved enough to send her boy to the University of California. She did nursing at nights, borrowed Gray's "Anatomy" and studied it till she almost knew it by heart. A year later she turned the business over to her sister, and went to Philadelphia to study medicine. Three years later she returned to practice medicine at Roseburg, Oregon.

In 1878 she went to the University of Michigan, where she put in sixteen hours a day attending lectures and studying. She received her diploma in 1880. Meanwhile, her son had been graduated and had received his medical degree. Six months after graduation, with her son, she went to Europe and did hospital work in Glasgow, Berlin, London and Paris. Returning to Portland she soon had a large practice.

She has lectured, and has written hundreds of articles on temperance, woman suffrage, and other reforms. For the past twenty years she has given most of her time to reform work. She it is who is the author of Oregon's sterilization law, and she is now working for a medical examination law for women as well as men. She has never lost sight of her goal, has overcome every handicap, and achieved her life's ambition of being of service to humanity.

—F. L.

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## OREGON'S MARRIAGE LAW

(From New York Survey, April 9, 1921)

Although Oregon for some years has had in operation a law for the sterilization of the unfit, the state legislature has recently taken another exceptional step in this direction. Largely through the unceasing efforts of Dr. Owens-Adair, a woman physician over eighty years of age, the state legislature has passed a bill requiring an examination into the health and mental fitness of all applicants for marriage licenses. Further, a license will not be issued to the physically and mentally subnormal until one or both of the applicants have been rendered sterile. The act now goes to the votes of the state either for their rejection or endorsement at the next general election.



It is of interest that the act strikes deeper than at requiring such a mental and physical examination. The certificate of the examining physician shall not only contain a statement as to the mental qualifications of the applicants for a marriage license but shall also show the educational qualifications of the physician himself. Further, provision is made for an appeal from the findings of the examining physician to those of three competent physicians selected by the court.

Dr. Owens-Adair, the sponsor of the bill, in a letter to members of the legislature made a strong plea for the practice of birth control:

Every husband and wife, she states, should have the privilege of deciding the number of children that should come into their home. Such children are love children and will bring blessings with them. A child well born will be an asset of great worth to his country, the other a curse. When the call to arms came, your sons and the sons of other normal men rushed to its call and passed the test; the subnormal failed. The "boobs," as the soldiers dubbed them, were allowed to go home and propagate their kind. The unfit should not be allowed to propagate.

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Portland, Oregon, October 25, 1922.

Dear Dr. Adair:

Thank Heavens you are not a conservative! You have heard the newest definition of that much revered individual? "A person who objects to the first trial of anything." If you had been of that particular temperament, Oregon would never have had the credit and honor which has come to this state through your courage and persistence in fighting all these years for a better humanity.

To you must come the devotion of all who are working to make the world a better place for those who come after them. It is a rare privilege for those of us to whom you have given the treasure of your friendship, to share in your history of your efforts.

In the industrial field, there is no menace greater than the feeble-minded worker—man or woman. There is none who is responsible for the waste in industry in greater degree than the worker who cannot keep the pace set by normal skill—who cannot respond to any stimulus—whose sense of responsibility can never

be aroused and from whom no reaction can be expected in times of stress. He just cannot do it, because nature has "borne" him defective. Over and over again have those of us in this work despaired over his inefficiency and grieved over his helplessness.

Yours is the only way to lift the load we are carrying today. As long as human nature is as it is, sterilization of the unfit is the humane way.

What do I think of that forth-coming book? I can only repeat what I have always said of you and your courage. I do not know another woman in this state who would have had the courage and skill or the persistency to keep at the tasks, continually facing the discouragements, not only from the great mass of men, but also from your own sex.

You have blazed the way for the rest of us, keeping straight ahead, a solitary lone figure through the wilderness of doubt, suspicion, tradition, ridicule and all other beasts which continually beset the path of progress, and Oregon owes more to you than to any other person, man or woman, the advance she has made toward the purification of the race.

I am glad you are giving it the emphasis of a patriotic duty. If we continue to conscript the flower of our young manhood, and since women have entered the munition factories and every other activity which belongs to war, we may expect to have only the best of our young womanhood conscripted, leaving in the hands of the rejected, the scrubs of the human family, the breeding of the future generation. This fact can only be interpreted in this one way; no amount of religious antagonism, false modesty or perverted sentiment can change the laws of nature—that has been demonstrated over and over again.

I consider it a great privilege to have been associated with you, and a great honor to be accepted in your circle of friends.

Wishing you every success and honor, both of which you so richly deserve, I am,

Faithfully yours,

MILLIE TRUMBULL,

Secretary Oregon Board of Inspectors of Child Labor.

Portland, Nov. 4, 1922.

My Dear Doctor Owens-Adair:

It is with great pleasure that I realize that you have been able to do this great work which crowns your years. That you have held to the struggle, moral and mental, to carry through to a triumphal finish, a work so hardly begun.

Looking backward a period of thirty years, into the gloom of faulty conventionalities surrounding the greatest and most wonderful of nature's creations, the perfect human being, your tender heart, commiserating the afflictions of those imperfect ones, here through no request of their own, cried out for justice.

Your sterilization bill followed, and now this book full of wise admonition. Your clear vision and medical philosophy pointed the way, and you have led the state of Oregon to the heights above racial disaster.

I am proud to be your contemporary and honor you as one whom all women should revere and call blessed.

Yours with the greatst respect and admiration,

MAE H. CARDWELL.

# SOME OF HER LIFE EXPERIENCES

Author's Note—I wish to state that my excuse for closing this book with this little sketch of my life (which I wrote over 16 years ago) is due to the fact that at the last hour when all was ready for the press, it was found that the book was too small for the covers, which were all prepared. Therefore I was persuaded to allow this to be used. It is a part of my first book, printed in 1906, "Dr. Owens-Adair and Some of Her Life Experiences."

I hope this necessity will not be a detraction.

## CHAPTER I.

### The Story of My Life

I was born February 7th, 1840, in Van Buren county, Missouri, being the second daughter of Thomas and Sarah Damron Owens.

My father and mother crossed the plains with the first emigrant wagons of 1843, and settled on Clatsop plains, Clatsop county, Oregon, at the mouth of the Columbia, the wonderful "River of the West," in sound of the ceaseless roar of that mightiest of oceans, the grand old Pacific. Though then very small and delicate in stature, and of a highly nervous and sensitive nature, I possessed a strong and vigorous constitution, and a most wonderful endurance and recuperative power. These qualities were inherited, not only from my parents, but from my grandparents, as well. My grandfather Owens was a man of exceptional financial ability. He had a large plantation in Kentucky, and owned many slaves, and many stores throughout the state. He was a grandson of Sir Thomas Owens, of Wales, of historic fame.

My grandmother Owens was of German descent; a rather small, but executive woman, who took charge of, and ably administered the affairs of the plantation, during my grandfather's absence, which was most of the time. She was precisely the kind of woman President Roosevelt most admires;—a woman of energy, industry, and capability in managing her home affairs, and the mother of twelve children, all of whom grew to maturity, married, and went on giving vigorous sons and daughters to this young and growing republic.

My grandfather Damron was a man of equal worth. He was a noted Indian fighter, and was employed by the Govern-

ment, during its wars with the Shawnees and Delawares, as a scout and spy. He performed many deeds of remarkable bravery and daring, one of which was the rescue of a mother and five children from the Indians, who had captured them, at the imminent risk of his own life; in recognition of this act of signal bravery the Government presented him with a handsome silver-mounted rifle, worth three hundred dollars.

My grandmother Damron was my grandfather's second wife. She was of Irish descent, and noted for her great personal beauty.

My father, a tall, athletic Kentuckian, served as sheriff of Pike county for many years, beginning as a deputy at the age of sixteen. It was often said of him: "Thomas Owens is not afraid of man or devil."

My mother was of slight build, but perfect form, with bright blue eyes, and soft brown hair. She weighed but ninety-six pounds when she was married, at the age of sixteen.

My earliest recollection reaches back to the first step taken by my brother, Josiah Parrish Owens, I being five years old, and he between seven and eight months. It was in the smooth, cleanly swept back yard, on a soft, warm July afternoon. Mother sat just outside the door, sewing. My sister Diana, who was past seven, and old for her years, and who never seemed to care much for play, (unlike most children,) sat near mother, busy with her patch-work. My brother Flem (about three) and I were playing with the baby. In his infantile glee he crept away from us, raised himself on his feet, and looked smiling at mother, who held out her arms, when he toddled to her, taking at least a dozen steps, before she caught him. From this time on, he never seemed to desire to creep. It was a red-letter day to us, as our baby, named for Rev. J. L. Parrish, of missionary fame, was the pride of our home. My brother Flem, two years my junior, was my constant companion. He grew rapidly, and soon overtook me in size, as I was small, and grew slowly, but I was tough and active, and usually led in all our pursuits of work or play. Not until I was past twelve, did he ever succeed in throwing me. One day he came in the kitchen, where I was washing the dinner dishes and, with a broad smile on his face (he was such a good-natured boy!) said: "Pap told me to go to the barn for two bundles of oats for the horses; now the first one that is thrown down must go for the oats."

Instantly the dish-cloth was dropped, and we clinched.

I had noticed for some time that he was gaining on me, but I could not refuse to take a "dare," and he had not yet thrown me.

Round and round the room we went, bending and swaying, like two young saplings, till, seeing his chance, he put out his foot and tripped me. I fell on a chair which happened to be in the way, and my mouth came in contact with one of its posts, which broke off a piece of one of my front teeth. Poor brother picked up the fragment of tooth, burst out crying, and ran off to the barn for the oats.

He had just learned this new accomplishment in wrestling, which he had kept secret from me, to his life-long regret, for in those times and parts dentistry was almost an unknown art. It was at least eighteen years after that before I found a dentist who could repair the injury. Dr. Hatch, of Portland, did the work, and I was more than pleased to have that unsightly gap filled in with shining gold. The rarity of such an artistic piece of work in the mouth added to its attractiveness. The first attempt, by the way, was a failure, the filling soon becoming loose; but the second was a success, and was still perfect when the tooth was extracted thirty-five years later. This tooth I keep, as a souvenir in remembrance of that particular tussle with my dear, good brother;—not the last, however, by any means, for we were, as I said, constant companions, and I was a veritable "tom-boy," and gloried in the fact. It was father's custom to pat me on the head, and call me his "boy."

The regret of my life up to the age of thirty-five, was that I had not born a boy, for I realized very early in life that a girl was hampered and hemmed in on all sides simply by the accident of sex.

Brother and I were always trying our muscular strength, and before I was thirteen, I bet him I could carry four sacks of flour, or two hundred pounds. I stood between a table and a box, on which we had put two sacks of flour each. Then brother placed a sack of flour on each of my shoulders, and held them steady, while I managed to get the other two sacks (one on the table and the other on the box on each side of me) under each arm, and then I walked triumphantly off, carrying all four sacks! In that memorable year of 1847, after the shocking Whitman massacre, my father was preparing to go, with other Clatsop volunteers, to fight the Indians. When all was ready for his departure,

as he stood in the midst of his weeping wife and children, a Mr. McDonald, who was then working for father, stepped forward and said:

"Mr. Owens, I am a single man, and have no one to care for me, but I am poor. Give me your outfit, and money for my expenses, and I will go in your place."

Yielding to the entreaties of his family, my father finally assented, and Mr. McDonald went, but he never returned. He was killed, I think, by an accident. We have always remembered him gratefully believing that he may have saved our father's life for us; and at least, he freely gave his own.

I was the family nurse; and it was seldom that I had not a child in my arms, and more clinging to me. Where there is a baby every two years, there is always no end of nursing to be done; especially when the mother's time is occupied as it was then, every moment, from early morning till late at night, with much outdoor as well as indoor work. She seldom found time to devote to the baby, except to give it the breast.

When the weather was fine we fairly lived out of doors, baby and all, I hauling the baby in its rude little sled, or cart, which bumped along, and from which baby was often thrown out, but seldom seriously hurt, and never killed; with a two-year-old on one hip, and a four-year-old hanging to my skirts, in order to keep up; but more often on brother Flem's back; so we went playing here, and working there, during all the pleasant weather. When it rained, we had access to the barn, where we could swing, play "hide and seek," and slide down the hay-mow, from the top to the bottom. Many a time I have carried the children to the top, from where, with the baby in my arms, and the two next younger clinging to me, I would slide to the bottom, to their great delight.

I was fond of hunting hen's nests, which I seldom failed to find. One afternoon, I crawled under the barn, as I knew there were eggs there. The ground was hard and smooth, and so near the barn-floor that moving-room was at a premium. About the center of the space, I found a nest full of eggs, and squeezed under till I could reach and gather them into my apron. Then, as I could not turn around, I began to slide out backward. When passing a sleeper, a knot in it caught between the waistband of my dress and the first button above. Try as best I might, I could not get loose. Brother was waiting for me outside, and

when he found I could not possibly extricate myself, he ran to mother for help. Father was away from home. Mother saw that the only way to release me was to break the button-hole above my belt. Lying wedged in there on my face, I could not reach the button, or break either the button-hole, or strong belt. The barn was full of hay, which it would take several men at least a day,—perhaps more—to remove so as to get down to the middle of the barn floor; and to tunnel under to me would require about as much time and labor. So she told me to push and work myself backward and sidewise. I obeyed, and after long and persistent effort, I succeeded in tearing the button-hole out, thus enabling me to back once more into freedom and fresh air. After I got clear of the sleeper, I reached back and unbuttoned all my buttons, to make sure I did not get hung up again. My eggs were near by, and I brought them out with me.

That was not the last time I crawled under that barn for eggs, but I had learned a lesson never to be forgotten, for I never again went into a tight place like that without preparing beforehand to leave all my clothes behind, if necessary,—that is, if I should again be hung up on a knot or a peg.

When I was about twelve years old, a teacher by the name of Beaufort came to teach a three months' school in our neighborhood. School-books were extremely scarce, and sometimes whole families were taught out of one book. All the children over four years old attended the school, for children did not remain babies long when other babies came along so fast and crowded them out of the cradle. Boys and girls of fourteen and fifteen were expected to do a full day's work on the farm or in the house, and even the younger ones were all taught to be helpful and useful, and to do their full share in taking care of themselves.

The new teacher was a fine, handsome young man, who held himself aloof from the young people of his age, and kept his person so clean, neat and trim that the country young men disliked him.

Mr. Beaufort boarded at our house, and we children walked the two miles to school with him, daily. He was greatly liked by the children, to whom he was most kind, playing with them, and often taking two or three of the little tots, or as many as could hang on, and, thus handicapped, he would run races with



the older children, to the hilarious joy of the little youngsters, who thought they had won the race.

I simply worshipped my handsome teacher, who taught me how to run, to jump, to lasso, to spring up on the horse's back, and so many other things that I appreciated. On one occasion there was a picnic at our house, it being the largest and best on Clatsop plains;—and while there, the young men began to joke and guy the young teacher about his white hands. He took it good-naturedly, and finally said:

"I will bet you \$200 in cash, my watch and chain, and all I have, against \$100, and whatever you can put up, that I can dig, measure and stack more potatoes than any other man on Clatsop."

This stirred their blood, and touched their pride, and his challenge was accepted. He was to dig, measure and stack in three piles, sixty bushels of potatoes in ten hours, he to select his ground on which to dig. My father said to Legrand Hill, who was then working for him, and whom I married two years later: "Now, my boy, take my advice: don't fool away your summer's work. I have been watching that young man, for three months. He is as strong as a bear, and active as a cat."

But, like the other young men (and some of the older ones) he needed no advice. He bet his watch, and two hundred bundles, or sheaves, of oats on the issue.

Mr. Beaufort selected his ground in Mr. Jewett's potato patch, on the farm now belonging to Mr. Josiah West, near the main county road. The day before the contest, he had staked out his ground, and smoothed off the spots on which to pile his potatoes.

The day dawned bright and beautiful, and found everybody there, including men, women, children and Indians. All brought good things to eat for luncheon, and came to spend the day, and see the fun.

Time-keepers being selected, and the hour being near at hand, the teacher removed his coat, vest, and long, handsome blue silk Spanish scarf, and hung them on the fence. Suspenders were unknown in those days. He then loosened his leather belt, and taking off his boots, he encased his feet in a pair of handsome beaded moccasins; then, drawing a pair of soft buckskin gloves over his smooth white hands, he picked up the new hoe, from the handle of which he had sawed off about half, and

stepped to the middle of the plot, as the time-keeper called the hour. He took off his hat, and made a graceful bow to the assembled company. Then, stepping across a hill and standing with a foot on each side of it, he, with two or three strokes of the hoe, laid bare the potatoes, and with both hands scooped them up into his half-bushel measure.

It did not require more than two or three hills to more than fill the measure. Then, with a few elastic leaps, he emptied them on one of the places he had prepared for them. For two or three hours he kept the tellers busy counting; and then he took it more leisurely, laughing and joking as he worked, and he finished his task long before night. All the beholders were fully convinced, after the first hour's work, that the stakes were his. That was a "red letter" day for that handsome and accomplished young teacher. He had "raked in" watches, rings, scarf-pins and about all the spare money the young men, and some old ones in that settlement possessed.

After he had finished his sixty bushels, he turned several hand-springs, and, reaching the fence, he put his hands on the top rail, and sprang over with one bound.

That was a revelation in potato-digging to the Clatsopites, who all dug with a long-handled hoe, while the Indians used a short stick, or their hands, for the purpose, at the same time sitting or crawling on their hands and knees. That was the last, and one of the best lessons that my honored teacher taught in Clatsop. He left in a few days and we never heard of him again, but his memory is always fresh in my mind. He was, in my young, crude, and it might be called barren life, a green, flower-strewn oasis, with a fountain of cool water in its midst.

I was then but twelve years old; small, but perfect in form, health, and vigor. Brother Flem towered far above me, and sister Diana, "The Beauty of Clatsop," was taller than our mother.

My love for my handsome, kind and intelligent teacher knew no bounds. Diana said I was always "tagging him around;" and mother chided me for being so rude, saying, "You ought to know that he must get tired of you and the children sometimes."

However I found many opportunities of being in his society, and I improved them all; especially as mother was so over-worked she was only too glad to be relieved of the care of the baby, and the two other smaller children. Taking my brood, I would

seek out my friend, who invariably met me with a welcoming smile, for he had learned to love the two tiny girls, and the big, fat baby, who warmly returned his affection.

He would catch up one of the older little ones, toss her above his head in such a way that she would rest across his shoulders, with her arm around his head. Then he would take the baby and hug it close, and, picking up the other little midget, under his other arm, we would be off for a race. And how we all enjoyed it! The children would scream with delight, and my own happiness, though less demonstrative, was no less deep. We often went to the fields where father was plowing, cultivating or haying. Many a time did he lift me lightly to the back of the near horse, hand me the baby, and seating one of the others behind me, with one on his shoulder, walk beside the horse with his hand reached out to hold us from falling. Father liked him, too, and was always pleased to have him around.

It was a sad, sad day when he left us. First, he bade father and mother good-bye; and then the children. He snatched up the baby from the floor, tossed her up, and kissed her. I was trying to keep back my tears. He smiled down on me with his handsome blue eyes, and said to mother: "I guess I'll take this one with me."

Mother answered, "All right; she is such a tom-boy I can never make a girl of her, anyway."

He took my little hand in his, and I went with him through the gate, and some distance down the road. Then he said: "Now, little one, you must go back. You are a nice little girl, and some day you will make a fine woman; but you must remember and study your book hard, and when you get to be a woman everybody will love you;—and don't forget your first teacher, will you?" He had gathered me up, and smiling, kissed me, and then set me down with my face toward home. I ran back, and seeing the children on the fence, all looking, I ran off around the back of the house, and hid, and cried a long time. Of course they all laughed at me, and often times afterward, when I was especially rebellious and wayward, which was not infrequently, I would be confronted with, "I wish the teacher had taken you with him," to which I never failed to answer promptly and fervently, "I wish he had, too!"

## CHAPTER II.

About this time, a Mr. and Mrs. McCrary moved on the adjoining farm, owned by a Mr. McDaniel, a bachelor.

Their little house was not more than a quarter of a mile from ours, just over, and beyond a pretty, grassy ridge. I did not like the man, but I fell in love with his tall, splendid wife. She was quite a little older than my mother, but very different from her. She was tall, and very fair, with pleasant gray eyes;—not pretty in form or features, but she was one of the most admirable and beautiful characters I have met with in all my life. To me she looked beautiful, and I loved her ardently. No child could have loved a mother more than I loved this pure, noble woman. It is said that "love begets love," and it surely did, in this case, for she returned my love with a true mother-love. She was not blessed with children of her own. The affection between us remained unbroken throughout her long subsequent life, of nearly fifty years; and now I can realize, looking back, that the lovely example of her beautiful life has had much to do with molding my own, and I doubt not, the characters of many of those around her. Their worldly goods were few when they settled near us, but she made the most of what little she had,—only two small rooms scantily furnished,—but every thing in them was kept immaculate, and she, with her kind words, sweet smiles, and winning ways, her hair combed smoothly back from her high, prominent forehead, an ample white kerchief crossed and pinned smoothly over her bosom, and her long, checked apron ironed without one wrinkle, fastened trimly about her waist, was a fitting, and charming mistress of her spotless little home.

My mother was a neat and tasteful woman, but she said Mrs. McCrary always looked as if she had "come out of a band-box."

It was my habit to visit my friend once a day;—often several times. Whatever might be my task, I would try to finish it as quickly as possible, that I might slip off, and fly to Mrs. McCrary's. It did seem like flying, for my feet scarcely touched the ground, as I ran. I received many scoldings, for running off thus, without permission, and was repeatedly told that grown people did not want to be bothered with children, but, unless I was positively forbidden, I still went.

Mrs. McCrary seemed always so glad to see me, and had so many pretty and pleasant things to say to me, that it was no wonder I was drawn so strongly to her. She did not visit much, and never gossiped. She was a reader, but books and papers were very scarce in those days. She always treated me as if I were a little lady of some consequence.

For instance, she would say:

"Why, your visits are just like bright, sparkling, refreshing sunbeams to me."

If a button was gone from my dress, or apron, a pin went into its place, and she would say:

"Now, that looks so much nicer!"

Again she would frequently say:

"I am just going to comb out those long, pretty braids of yours;" and she would take down my hair, which came half way to the floor, and brush and comb it, and then take down the little mirror from the wall, and hold it before me, turning it from side to side, so that I could see how long and nice it was, waving over my shoulder, saying: "We'll leave it so awhile, it makes you look so like a fairy."

Sometimes she would tell me a fairy story, at the same time showing me how to knit, crochet, or sew. All this time talking, and drawing me out, correcting my mistakes with such delicacy that even my super-sensitive nature was not wounded. She infused such a charm into everything she did and said that I was not only interested, but most anxious to learn. She impressed upon my mind in the most positive language just how the thing should be done, showing me by example, at the same time, always having me assist her when possible; invariably excusing my blunders, and praising my progress.

Was she making biscuits, she would have me stand by, while she showed me every step of the process. First she would take down the clean board, and say: "Now you take so many cups of sifted flour, so many cups of milk, so much butter, so much salt, so much soda for so many persons. When you knead the biscuits, be sure you do not put the flour too near the edge of the board, or it will get on the floor; and stand a little farther back from the table, or you will get your apron mussed."

"Do you know, I have seen women who could wear one apron all the week and then it would not be as soiled as that

of some women would be in one day. That shows the difference between a neat and slovenly person."

"Some people always have a place for everything, and keep things where they belong, while others keep their things haphazard, and never know where to find them,—and so make themselves a great deal more work, and have a much harder time to get along. You will never be that kind of a person, for your mother is a good housekeeper, and you will grow up to be an orderly housekeeper, too."

Was it any wonder that I loved that wise, good woman? I was as wax in her hands, and could I have been under her influence until I had reached maturity, instead of but one year, I could, and would have escaped many of the sorrows and hardships of my life.

Mr. McCrary soon took up a claim on Young's river, a part of which is now known as "Greenwood Cemetery," but it was then quite remote, and could be reached only by boat.

After the lapse of many years, on my return to Clatsop, I heard that Mrs. McCrary, now a widow, was spending the winter in Astoria, and I embraced the first opportunity to visit her. Oh, what a joyful meeting was ours! And with what interest and emotion did we recall and rehearse the past!

She was the same grand woman. Hardships and griefs—of which she had suffered many—seemed to have made her more lovely and saintly. She said to me: "Well, I am getting old, but you are young, and fresh, with the bloom and beauty of womanhood upon you, and yet I can see much to remind me of the little bare-footed girl who brought me so much pleasure the year I lived near your father's;" and she laughed happily.

Again we parted; and year after year came and went. I became a physician, married a second time, and went to live on our Sunnymead farm in Clatsop county. One dark night a messenger came with a lantern, saying that Mrs. McCrary was suffering dreadfully from an abscess, and wanted me. Would I go? Yes, by every fond recollection;—by every tie of gratitude and affection—most assuredly I would go! And a walk of one mile over a rough tide-land road brought us to the Lewis and Clarke river, which we had to cross in a boat, to where a horse was awaiting us. Then three miles farther, and we were at our destination. I first administered an opiate; then lanced the ulcers, and

applied a hot poultice and a hot-water bag, and she was soon comfortable and free from pain. Then she said:

"Oh, how good God is, to send you to me in my trouble; and I do not regret my sickness, since it brought you here. I want you to get right in bed with me. I am ashamed to be so selfish as not to let you sleep in another room, after this long, hard trip, but if you had given me a bushel of opiates I could not sleep, I am so hungry for a good, long talk."

"Do not for a moment think," I replied, "that you are depriving me of anything, for I am quite as anxious as you are for such a talk;" and we did talk, from 2 a. m. till breakfast the next morning, living over much of our past lives from my early childhood.

A year or so later, she came to Clatsop to visit her friends, the Carnahans, who now own my father's old donation land-claim.

While there, she had a severe attack of pneumonia, and, for a time, I despaired of her life; but she calmly said:

"I know my time has come. I am ready and anxious to go; for I have lived beyond my usefulness. You are doing all you can, and I do not blame you, but I feel that I ought to go now."

But her time was not yet come, and, after many weeks, she made a good recovery, and went to Portland, Oregon, to live with her adopted son, Capt. Kane Olney, whom she took, in infancy, and raised him to manhood.

I saw her frequently afterward, when I was in Portland, and in 1899, before removing to North Yakima, Wash., I called to say good-bye to her. I found her reading the Oregonian. On seeing me, she rose to her feet at once, and met me with her old, gracious, heart-warming smile.

"I see you are reading the Oregonian," I said.

"Yes," she said, "I spend much of my time in reading. If I only could remember what I read! My memory, you see, is only half-way across the floor. That is just about the length of it now."

"Never mind your present memory," I reassured her, "your past will not desert you, and the good you have done in this world will linger long after you and I have been laid to rest."

This pleasant, cheerful way in which she alluded to her loss of memory illustrates the wonderful charm and beauty with which she invested life; so that all its rough, unsightly, and annoying features were sure, under her sunny way of meeting and pre-

senting them, to become less disagreeable, and often even perfectly charming. That was the last time I ever saw that grand, noble woman,—one of God's masterpieces. Her walk in life was lowly, but sunshine and flowers followed her and illuminated her pathway, and it could be truly said of her that no one ever came in contact with her without being made better.

An amusing little occurrence took place when I was just past thirteen. Father had working for him at the time a diminutive, stuttering Englishman.

This man had been trying to make love to me for some time, and, notwithstanding my scornful rejection of his attentions, and positively rude treatment of him, he persisted in them.

One morning I was washing. For heating water, and boiling the clothes, we used a huge pot, which hung on a crane, in the big, open fire-place, in a room used for washing, and as a general store-room. Under the open stairway were several partly filled barrels of cranberries, and other articles. That little imp, knowing I was there, and watching his opportunity, slipped up behind me, as I was stirring down the clothes with a long broom-handle, and, catching me around the waist, hugged, and tried to kiss me, and then he jumped back and laughed triumphantly, endeavoring to escape by the open door; but, like a tiger, I leaped between him and the door, giving him such a whack with the broom-handle that he staggered, and rushed under the stairs, and plunged his head into the cranberry barrel, thus presenting a fair field for the strokes which, in my fury, I laid on thick and fast, with all the strength I possessed. He screamed, and mother, hearing the disturbance, ran down stairs, and had to actually pull me off by main strength.

When he got his head out of the barrel, he sputtered and stammered, and could not utter a single coherent word. In towering contempt, I exclaimed: "You little skunk, if you ever dare come near me again, I'll kill you!"

About this time another occurrence happened that made a lasting impression on my mind.

One bright morning a young farmer about 27 years old came rushing excitedly up with his coat on his arm, to mother, who was in the back yard, saying:

"Where is Tom Owens?"

Mother asked: "What do you want of him? He is not here."



"I want him!" he vociferated, "and I intend to whip him within an inch of his life."

He was a large fellow, as tall as father, and much heavier.

Mother said: "Now, Luke, go home, and get over your mad fit; Owens has never done you any harm. But I tell you if you do get him roused, he will beat you half to death, and I don't want to see you get hurt." But he had no notion of getting hurt.

Just then we saw father coming up the road on horseback. Luke saw him, too, and started for him, mother calling, and begging him to come back, but he rushed on. The children were terribly frightened, and began to cry. Mother said: "Stop your crying. Your father is not going to be hurt." She, however, walked out with us to where we could see and hear everything. Father stopped his horse, and Luke, throwing down his coat, began gesticulating, swearing, and daring father to get down and fight him, but father sat calmly on his horse and said:

"Now, Luke, you are only a boy; you don't know what you are doing; go home, and let me alone. I don't want to hurt you."

At this, Luke sprang at him, calling him a coward, and attempting to pull him off his horse, but before he could catch his foot, father was off his horse on the opposite side, and giving the bridle a pull, turned the horse from him; and the first thing he did, when Luke came lunging at him, was to knock him down with a single blow. Then he held him down, and choked him till he cried "Enough!" when father released him, saying: "Go to the house and wash and clean yourself up; my wife will give you water and towels." Luke lost no time in obeying, and mother brought water and towels, and assisted him. His nose was bleeding profusely, and he was covered with blood, but he was not half so badly hurt as he was scared.

Mother said, "Well, Luke, I am very sorry you did not take my advice. I knew you would get hurt."

He was very penitent, and much humiliated, and when father came up, bringing his coat, and assisted him in putting it on, they shook hands, and were friends ever after.

It afterward transpired that some of the neighbors, knowing him to be a bragging bully, and thinking he needed a taking down, had put him up to coming, by telling him that Mr. Owens had said he had stolen something.

In 1853, finding that his 640 acres of Clatsop could no longer supply feed for his rapidly increasing herds, father decided to

remove to Southern Oregon, where he could have an abundance of range for them.

He at once set about building a large flat-boat, or scow, in which to move his family, household goods, and what stock he could not, or did not wish to sell.

In the fall, after the crops were harvested, and everything disposed of that we did not want to move, father shipped his cattle and horses to St. Helens, and sent them on by the trail, to the valley. He then returned, and moved the family and our teams to Portland, then a very small town on the Willamette river.

After disposing of the boat, we loaded up the two wagons, and were ready to start for the valley. It had been raining, and I well remember what a terrific time we had getting through the dense timber west and south of Portland, father leading, driving one team, and mother following, with the second. Mr. John Hobson, my brother-in-law, had, meantime, gotten the horses and cattle through the timber, and, leaving the other men to herd them, on good pasturage, came back and met us in the woods. for which we were very thankful. We came up with the herd near the Burton place, in North Yamhill, the next day, and bidding Mr. Hobson and one of the other two men good-bye, we proceeded on to Roseburg, arriving there without mishap.

Brother Flem and I, with the assistance of one man, who was not half equal to either one of us for the purpose, drove the herd.

Father said we were worth more than any two men he could hire. There was an abundance of grass; the weather was fine, and this part of the journey was really a picnic for us all.

Upon leaving home, I had insisted upon taking my big cat, Tab, against the judgment of my parents. After a good deal of argument, and many tears on my part, I carried my point, and Tab went with us. After getting well on our way, I let him out when we made camp, putting him in the covered wagon, and fastening down the cover when we were ready to start again.

One morning the horses had strayed off, and father sent me after them. When I returned with them, everything was packed, ready to leave, and I forgot Tab. We had gone perhaps a mile, when I thought of him, and rushing back to mother's wagon, I asked if she had put him in. No, she had not thought of him, or seen him.

Without another word, I put whip to my horse, and galloped back to camp, but no Tab was to be found. I rode up and down the pretty little stream calling for Tab, but saw no signs of him, and with sad heart, and wet eyes, I rode ahead, and overtook the wagons. When we stopped at noon, mother sent me to the wagon for something, and as I unfastened and lifted the cover, what did I see but my big, beautiful, beloved Tab, ready to greet me with an affectionate "Meouw!"

From that time on, he always crawled into the wagon of his own accord, when the horses were being hitched on preparatory to starting. He enjoyed the trip as well as any of us. On reaching Roseburg, we found our old friend and neighbor Mr. Perry had a house all ready for us, and we moved right in. Father took up a claim just across the Umpqua river, from the then little village of Roseburg. This gave him a wide scope of range for all his stock.

He at once bought lumber for a good house, and began hauling it on the building-spot, in order to be ready to build early in the spring. Then, during the winter, he built a ferry-boat for his own accommodation, and that of the public. As the river could not be forded during a part of the year, and was really dangerous, the ferry was quite a source of revenue to us. During the winter, Mr. Hill came to visit us. His parents and their family had come to Oregon the year before, and settled in the Rogue River valley, near the Siskiyou mountains.

It was now arranged that we should be married the next spring when father's house was far enough completed to move in. During the winter and early spring, I put in all my spare time in preparing for my approaching marriage. I had four quilts already pieced, ready for the lining; mother had given me the lining for them all, and the cotton for two. I carded wool for the other two, and we quilted and finished them all. She also gave me muslin for four sheets, two pairs of pillow cases, two tablecloths, and four towels. I cut and made two calico dresses for myself, and assisted mother in the making of my wedding dress, which was a pretty, sky-blue figured lawn.

I had everything done, and neatly folded away long before the wedding day arrived. Mr. Hill came early in April, and assisted us in moving into the new house.

On May 4th, 1854, with only our old friends, the Perrys, and the minister present, beside our own family, we were mar-

ried. I was still small for my age. My husband was five feet eleven inches in height, and I could stand under his outstretched arm. I grew very slowly, and did not reach my full stature until I was 25 years old, which is now 5 feet 4 inches.

## CHAPTER III.

Just prior to our marriage, Mr. Hill had bought a farm of 320 acres on credit, four miles from my father's home, for \$600, to be paid for in two years.

The improvements on it consisted of a small cabin, 12x14 in dimensions, made of round logs, with the bark on them, each notched deeply enough at its end to dovetail into its neighbors above and below it. The cracks still remaining after this rude fitting were filled with mixed mud and grass, but this cabin had never yet been "chinked." It was covered with "shakes" (thick, hand-made shingles three feet long) which were kept in place by poles, tied down at each end. The door was so low that a man had to stoop to go in and out, and it was fastened with the proverbial latch and string. The cabin neither floor nor chimney, and the wide cracks admitted both draughts and vermin. Later I gathered grass and fern, mixed them with mud, and filled these cracks, thus shutting out the snakes and lizards, which abounded in that region, and which had made me frequent and alarming visits. The window consisted of two panes of glass set in an opening made by sawing out a section of one of the logs for that purpose.

About twelve acres of land were fenced, and had been seeded to oats and wheat for one or two years. A rough, open shed sufficed to shelter six or eight head of stock, and surrounding it was a corral for milking cows, and a calf-pen adjoining it.

Our furniture consisted of a pioneer bed, made by boring three holes in the logs of the wall in one corner, in which to drive the rails. Thus the bedstead required but one leg. The table was a mere rough shelf, fastened to the wall, and supported by two legs. Three smaller shelves answered for a cupboard, and were amply sufficient for my slender supply of dishes, which comprised mostly tinware, which, in those days, was kept scrupulously bright and shining. My sugar-bowl, cream jug, steel knives and forks (two-tined) and one set of German silver teaspoons, I had bought with my own little savings before my marriage.

My cooking utensils were a pot, tea-kettle and bake-oven (all of iron), frying-pan and coffee-pot, a churn, six milk pans, a wash tub and board, a large twenty or thirty-gallon iron pot for washing purposes, etc., and a water bucket and tin dipper.

All these things, including a full supply of groceries, I got on my father's account, as he had told me to go to the store and purchase what I wanted. This I did in the afternoon of my wedding day, the ceremony having taken place at 10 a. m. He also gave me a fine riding mare, Queen (my saddle I had already earned long before), one fresh cow and a heifer calf, which I selected; also one cow which would be fresh in the early fall, and a wagon and harness. In addition, mother gave me a good feather bed, and pillows, a good straw bed, a pair of blankets and two extra quilts. My husband's possessions were a horse and saddle, a gun, and less than twenty dollars in money; but I considered this a most excellent start in life. I knew what my father and mother had done, and I then believed that my husband was the equal of any man living.

The late Hon. John Hobson, Collector of Customs at Astoria, once said to me:

"Your father could make money faster than any man I ever saw. He came here in 1843, with fifty cents in his pocket, and I do not think there was one hundred dollars in the whole county (Clatsop), and in less than ten years he was worth over twenty thousand dollars."

Consequently, I had high hopes and great expectations for the future. My husband was a strong, healthy man; I had been trained to work, and bred to thrift and economy, and everything looked bright and beautiful to me. My soul overflowed with love and hope, and I could sing the dear old home-songs from morning to night. My happy, buoyant nature enabled me to enjoy anything,—even cooking out of doors, over a smoky fire, without even a covering over my head; for at first we had neither fireplace nor stove.

It was sweet, smiling spring,—the season that I loved best. The hills were bedecked with the loveliest wild flowers, for the variety and abundance of which the Umpqua valley is especially noted.

And yet, from a child I was practical and methodical. I had everything packed, and ready to move to my new home as soon as we were married, and I insisted on going there the next morning, knowing that the garden ought to be in. Within a few days it was planted.

We depended on wild game for meat, and as my husband was a good marksman, he kept us well supplied. I always went

with him, and we never came home empty-handed. He often killed two grouse from one tree by shooting the under bird first. The upper one seldom flew, and the hunter could bag it at the next shot. This seems to be a characteristic of the grouse. It is not startled by the sound of the gun's discharge, but if the upper bird is killed, its fall alarms those under, who immediately take to flight. I have myself seen hunters who know this fact kill three grouse in one tree by shooting the lower ones first.

Mr. Hill was always ready to go hunting, no matter what work was pressing to be done.

One evening he proposed a deer-hunt, so next morning we were off early. He decided to go to the top of the highest hill, as the wind coming from that direction would bear away our scent; so we rode our horses as far up as we could, and then staked them on good grass, and proceeded on foot to a point where he said we were sure to find deer. When near the summit, we crept with great caution, and peeped over. Sure enough! There, basking in the heat of the day, in the shade of the noble oak trees on that gentle, grassy slope, was a band of the soft-eyed beauties.

All save one were lying down; while the king of the herd stood quietly by, leisurely chewing his cud, with his head toward us, all unconscious that his last hour had come.

We were behind a large tree, and my husband rested his rifle on one of its limbs, and took deliberate aim. At the click of the trigger, the royal buck sprang into the air, and fell dead. The herd was thrown into consternation; and, as the wind blew from them to us, they bounded toward us. In an instant the gun was re-loaded, aimed, and a graceful doe succumbed. I now entreated that he shoot no more, and as it was then past noon, and we were a long way from home, he assented. We first went down to the big buck, and soon dismembered him, and cut off his head. After spending much time, and hard labor in tugging and pulling, we at last got him to the top of the hill, after which it was an easy task to carry the small deer up. Then we started down the long hill, he with the large animal, and I with the small one. In time we reached the horses, on which we lashed the carcasses. Then we led the horses to the foot of the hill, where we loaded both deer on one horse, and rode home ourselves on the other, getting home at dark. The early morning of the next day was spent in skinning and salting the meat. Then, taking the two

large hams, we lost no time in riding over to father's for dinner, eager to tell of and talk over our hunting exploit. We well knew how much father and mother would enjoy the juicy steaks from those toothsome hams. Good coffee, hot buttermilk biscuits, or corn bread and fried venison, with cream gravy, and potatoes, was the favorite breakfast (or any other meal) of the southern man, and a hunter's delight. My mother was a cook worthy the name. Breakfast foods were then unknown, and as little needed, as such a thing was never heard of, and the word, even, was scarcely comprehended.

In the beginning of our married life, my father had advised my husband to begin at once to fell trees, and hew them, and put up a good house before winter set in. There was an abundance of suitable timber on our land, near by, but he was never in any hurry to get down to work. In one way and another he managed to idle away the summer, going to camp-meetings, reading novels, and hunting.

In September, when the mornings and evenings grew cold, we bought an old, second-hand stove, for \$2.50, which we put up in one corner of the cabin. This was an inexpressible comfort to me. Soon after this, we had a heavy rain, lasting all one day and night. The following morning our house was flooded, and in one corner the water was bubbling up like a spring. This came from a gopher's hole. I have seen water spouting out of hillsides for days after a hard rain, due to gopher channels.

Our cabin stood on a hillside, and the water was seeping and streaming down on us from the hill above. In order to protect ourselves from it, we were forced to dig a ditch on the upper side of the house, the bottom of which was below the foundation log; and thus the water was successfully carried away. It was late in the fall before the logs for the new, 16x20 foot house were even ready to be hauled out. My father had provided two doors, two windows, shingles, nails, and rough lumber for the floor. (No ready planed lumber was to be had in those days. All planing was done by hand.) He had these all on the ground long before Mr. Hill had finished the logs; but at last they were done,—cut the proper length, hewed flat on two sides, the bark removed, and deposited on the building-spot. They were notched to suit, as they were laid together, in building.

When all was ready, father came, with men to raise the house, and mother with him, bringing pies and cakes, and to help



me with the dinner. Quilting parties, house-raising, and hog-killings were always social events in pioneer life.

My father and the other men under his direction soon had the house up, with the openings for one door and windows sawed out; and all departed happy with the sun yet high in the heavens. Father said, before starting: "Now, look out for a hard rain soon." Next morning I slipped out of bed at 4 o'clock, and milked the cow, and when breakfast was almost ready, I skipped in, and tickled my husband's feet to waken him, and put him in a good humor (for he was not pleased with father's advice).

At breakfast I said: "Now we have an early start, and we will just show father how soon we will have that roof on, and floor down." I was so excited over the prospect of having a fine new house, with a floor, and windows, that I felt equal to almost any task. In two days the rafters were up, and the roof was going on. Oh, how proud I was! Our new house looked so big and tall beside the little old hut, and it was so nice to be able to look up and see no cracks large enough to let a snake through; for, as the back of the old house was against the hill, it was but three or four feet there from the ground to the roof, upon which the snakes often crawled to sun themselves. One of them actually did fall through into the house one day.

By the time the roof was on, Mr. Hill began to get tired, and suggested a hunt, but I begged and coaxed for at least one-half of the floor, so that we could move in, till he reluctantly went ahead. When sufficient floor was down to give room for our one-legged bed, it was moved in, and I soon had it neatly made up. I then drove nails on which to hang our clothing, and other things that could be hung up, and then ornamented the floor by spreading one of my new, braided rugs in front of the bed, only wishing for room to put down the other to add to the charms of this growing paradise. No young wife of unlimited wealth ever could have looked with more pride and pleasure on her rich velvet, or Turkish rug than I did on that to me precious rug, made by my own hands from old and new scraps given me by my mother.

When a little over half the floor was done, Mr. Hill stopped to put in the door, which was not completed when he severely mashed the thumb of his left hand, which meant the loss of the nail, and a lay-off for some time.

Oh, dear! This was terrible. November was nearly gone; the cooking must be done on the old stove in the hut, and we

must sit there, with the rain leaking all around us! The stove could not be moved into the new house till an opening was made for the pipe, and we had not sufficient pipe to reach out of it, had there been one. I was planning to get more pipe with the butter, and few eggs I could collect in the next few weeks. Our groceries had all come from the proceeds of my own good cow, excepting what mother had given me. She always had a sack of good things ready for me whenever I visited her. Winter was upon us, and we were in a dilemma.

I was not yet 15, but, girl as I was, I could but realize that this condition was due not only to poor management, but to want of industry and perserverance. I did not then know, however, that a man with a perfect right hand and a quick and willing wife to help him, could have gone right ahead and finished the work. My husband now suggested that we go to father's for a "visit." I did not like this, for I realized that father did not approve of his shiftlessness, but I had to consent, for he had begun to exhibit temper when I objected to any of his plans or suggestions.

We got up the horses and saddled them, and, taking a change of clothing, and our cow and calf, and putting everything else into the new house, and nailing up the openings for the door and windows,—all of which was work no less hard than going on with the flooring, door and windows would have been,—we took ourselves and cow over to father's, where we were always welcome, and found plenty of good things to eat.

There we stayed for two weeks, when father got us pipe for the stove, and a box of groceries. He and mother also went home with us, and helped to put up the stove, and hang the door. After a time the remainder of the floor was laid, and the windows put in. Now the butter from the two cows supplied us with groceries. We had no neighbors nearer than father and mother.

Mr. Hill had been receiving letters frequently during the winter from his father, and married sisters, all living in Jackson county, Oregon, and doing well, and well pleased with that section. His father had bought a fine farm, and twenty or thirty cows, lived on the main road, not far from the Siskiyou mountains, and received large prices at his own door for every pound of butter and cheese he produced.

There was a rush for the California mines. They urged us to sell, and come out there in the spring. Spring was now at hand, and in April we were to pay three hundred dollars on our farm.

We had not a dollar with which to meet the obligation. Nothing had been added to or taken from the place, excepting the house, and the hay for the stock, wheat for the chickens, and what the garden had yielded. The house, alone, had been permanently added, and that would not have been built but for my father's assistance. Mr. Hill was handy with tools, and could have had work at good wages, as a carpenter, at any time.

The former owner was anxious to get the place back, and he offered us \$60 to return it to him. This was more than we had expected, and with high hopes, we decided to go as soon as we could in the spring.

I sold my chickens at the store for a pair of shoes, calico for two dresses, and a few other little things.

I now again had bright hopes for the future, and felt quite rich in our worldly possessions of two horses, two cows and one yearling heifer.

We traded the younger calf and the remains of the crop for another horse, as I should have to ride my horse Queen, and drive the cows. The following is a description of our trip through that memorable canyon, which we passed on our way to Jackson county, written several years ago for publication:

#### **Transportation Facilities in Oregon and Northern California, As Told by Dr. Owens-Adair**

To the Editor: In the days of the early fifties, all freight, including the U. S. mail, was carried by pack-trains. The mule was to Oregon what the camel is to the great desert. The roads were never good, at the best, and in winter the mud was so deep that the laden animals often became mired beyond the power to extricate themselves, and had to be literally "snaked" out, as the packers call it. Even in summer, the worst places were extremely difficult and dangerous to pass. The packers were men of resource, ever ready for, and equal to an emergency. They had need to be, for those were times that tried and cultivated to their utmost every human power of endurance. Besides this, many of the pioneers were the flower of the East. More courageous, more forceful and enterprising, as well as more adventurous than their fellows, they pushed on to find a broader field for their exploitation, through obstacles that weaker men feared to attack; and found their reward in the free whole-souled life of the frontier,

and in the development of a sturdy character not to be obtained in the narrower, more conventional surroundings. The first time I ever saw a pack-train was in the early spring of 1854. My father, Thomas Owens, and his family, were then living just north of the bridge crossing the famous Deer Creek, near by the Roseburg mill—the first flouring mill in Southern Oregon. Deer Creek runs through a beautiful valley, nestled between swelling hills and gentle slopes, and dotted picturesquely with fine oak, ash, pine, manzanita, laurel, and other trees. The stream itself was thickly fringed with a generous and graceful growth of myrtle, crab-apple, vine-maple and willow, with luxuriant vines of a wild white grape climbing their trunks. These grapes were similar to those in cultivation, excepting in size, and were equally palatable and wholesome. Berries in great variety abounded, in their season, including strawberries, huckleberries, service-berries, the blue elderberry, blackberries, and the wild Oregon grape, which is chiefly admired for its fragrant golden bloom, and its shining, holly-like foliage. Groves of wild plums also furnished preserves to the pioneer housewife. This valley was then the feeding and breeding-grounds of thousands of deer, from which it received its name. They were attracted by the abundance of grass and excellent water, and especially by the salt springs, or "licks" which abounded in the neighborhood. It was an ideal pioneer home, and on this fresh spring morning it spread, an enchanting picture, before our door, as we heard the jangling bells of the long mule pack-train, plodding down the gentle slope toward the then primitive village of Roseburg. The roads were drying fast, but the mud was still deep and stiff in the low, level stretch near the creek. A freighted mule-train was a notable spectacle, and, as I said before, it was my first sight of one, as we had moved there but recently from Clatsop plains. We all hastened to the door to get a good view of it. On they came, the mules crowding each other down the hill with increasing activity, as if their legs as well as their spirits, were becoming "limbered" up by the warm sunshine, and soon reached the brink of that deceptive mud-hole, for, like thin ice, the dry crust gave way, and the foremost animals were "stuck" fast before their drivers could turn them to either side. Mules are commonly considered to be stupid creatures. However, these showed a great deal of sense. They realized their situation, and seemed to have perfect confidence in their rescuers, and stood perfectly still, without an effort to extricate themselves. In a

twinkling, three athletic fellows were at hand, uncoiling their long, strong, braided rawhide ropes, or lariats, which they always carry coiled at their pommels. One rode in beside the mired mules, and in some, to me, inexplicable manner, instantaneously fastened his lariat to the pack-saddle of the foremost beast, to which he secured the ends of the other ropes of his two companions. Then the quick, sharp word, "pull away!" was given; the two other horsemen repeated the command, and their trained animals pulled so gallantly that the helpless mule, with his pack, was landed safely on solid ground in a "jiffy," where he was soon on his feet again, shaking off the mud, and vigorously switching his thin little tail, as he started off to join the procession ahead. And so the work went on, till all were over the quagmire, and out of our sight. That formidable mudhole has long since been converted into a paved street in the now beautiful and flourishing city of Roseburg.

I was married in 1854, and a year from that time, in the spring of 1855, my husband and I started to move further south, to the foothills of the Siskiyou mountains, beyond Jacksonville. We had packed our possessions, which were few, in a wagon, to which was attached a span of horses. I was to ride my thoroughbred mare, Queen. We waited several days, however, in order to go with a drove of cattle, as their drivers were to have a wagon and team in which to haul their outfit, and we could thus assist each other. When the drove of some 150 head of cattle arrived, we all set off, on May 1st, and on the next afternoon, reached the then famous camping-ground at the entrance of the canyon, which is now a town called Canyonville, twenty-five miles south of Roseburg. It was ten miles through this dreadful canyon, and it was called the worst ten miles of road between Portland, Oregon, and Yreka, California; but there was then no better way. There were several miles of it that had to be traveled through the bed of the creek, over and between immense boulders, and the creek itself had to be crossed ninety-six times! Besides all this, the road ran up and down hills, and on the edges of precipices into whose frightful depths few could look without dizziness. Many accidents occurred on this road. Pack animals and teams had gone over, never to be recovered. No one thought of attempting to start through this perilous pass excepting in the early morning, so we prepared to camp for the night. Late in the afternoon, to our great delight, a big train of seventy or eighty pack-mules and their drivers came up. We greeted them with welcoming cheers.

and they responded with equal goodfellowship. A council was held, and it was decided that the mule-train should go first, followed by the cattle, so that they might stir up and tread down the mud, and make it possible for the wagons which followed to get through. I was then only a little past fifteen; but a girl of fifteen was then considered a grown woman. Though small, I was in perfect health, and as active as a squirrel. I was at home in the saddle, and felt perfect confidence in myself and my beautiful Queen; so I looked forward to the next day's trip as a real picnic, which it certainly was, though of a very different kind from what I had imagined. The captain of the pack-train had offered to take me with them, as he said no untrained horse with a rider could ever get safely through that canyon without help, of which I was speedily convinced. I never saw my gallant cavalier, the captain of that big mule-train, again after parting the next day, but his memory is still fresh in my mind. I can see him now, as he stood by my beautiful Queen,—tall, handsome and graceful, critically examining every part of her trappings, after which he smiled down on me, and walked away to his supply mule, coming back with a long, broad cinch, which he threw across my saddle, and quickly tightened over all, thus making everything doubly secure. Then, placing his right hand upon the back of my saddle, he bent forward, and extended his left for my foot, and with one light spring, I was seated in the saddle. Had this honest, cautious and capable frontiersman been the captain of the ill-fated Gen. Slocum, or its inspector, 1020 helpless victims would not have been sacrificed to fire and flood, and heartless greed for gold. There were many brave and noble men in those days, clad in buckskin, battling with the wilds of the wilderness. Those were times "that tried men's souls," but those heroes "came, saw and conquered."

After seating me, the captain mounted his horse. All was now ready, and the train entered the canyon. The first half mile was delightful. It was a perfect spring morning. The sun was just rising over the hills, and all nature smiled a joyous response to his warm greeting. The happy birds twittered in the branches, and sweetly sang their morning anthems. The air was filled with the fragrance of the wealth of wild flowers that glorified the hillsides and sheltered valleys with their rich and varied tints,—for in no spot in the whole wide world have I seen so wonderful a variety, or such beauty of form and color, as in the native flora of this

avored Umpqua Valley. It produces three different varieties of the sweetest scented honeysuckles, and at least three distinct and beautiful lilies, yellow, straw-colored, purple and white. Violets, gorgeous rhododendrons and azaleas—but it is impossible to enumerate all the treasures of that garden of our flower-garlanded Oregon. The noble trees, the rolling hills, the verdant valleys, the gorgeous wild flowers, with their intoxicating fragrance, the genial, golden sunshine, and the blue sky over-arching all, made a picture little short of perfection—a dream of beauty never to be forgotten. I was so filled with the romantic enthusiasm and exaltation of spirits inspired by such charming surroundings, that my young heart's buoyant emotions burst forth in snatches of song. My sympathetic Queen partook of my feelings, and felt the influence of the exhilarating atmosphere, and was off like a flash. I was but a feather on her back, and she was always ready to go when I gave her the rein. The captain had to put spurs to his horse to keep by my side. All too soon we caught up with the train, and entered the dense woods and deep mud, where romance retired, and stern reality stared us in the face. Much of the road resembled a corduroy road of logs, laid parallel, and perhaps two feet apart; though instead of logs, it was formed of ridges of stiff mud, with deep furrows between each, worn by the feet of hundreds of pack-animals stepping into the same tracks as they passed, the ruts becoming deeper, and the ridges higher, as time went on. The summer months dried the roads in this condition, making it next to impossible for a wagon to get through. The mule leaders, each wearing a bell of different tone from all the others, followed in single file. They knew the danger, and seldom "bunched up." There was usually a driver to each ten or twelve mules, and these drivers were here and there, always on the lookout, and ready for an emergency, or an accident, which often occurred.

The position of captain of a large mule freight-train, like that of the captain of a great ocean liner, was behind his command. that he might the better overlook and control its movements. We could hear the bells far ahead, and, as the captain and drivers knew the sound of each, if trouble occurred they instantly knew in what part of the train it was, even though it were out of their sight, in a curve in the road ahead. Every now and then there would come a call to "halt," when two or more drivers would go on and assist in helping some fallen animal.

Our troubles soon began. The mud was so stiff and deep

that in some places it was well-nigh impossible for the heavily laden animals to get through, and they frequently became "stuck" and had to be pulled out.

Entirely unaccustomed to such a road, my Queen became first nervous, and then frantic. She would try to step upon the hard ridges, and then slip, and plunge, and flounder, throwing mud all over herself and me.

But the strong, firm hand was on her bit, and the kind, masterful voice, speaking gentle, soothing words in her ear. Only through such treatment by the captain, and the presence of his own trained animal, could she ever have gotten through without injuring herself or her rider. I think she must have fallen twenty times on that trip, but the faithful captain held her gently, yet firmly, and in the most soothing tones, would appeal to her, as to a high-born lady, and his own sweetheart;—"Easy, easy, now, my lady;" "Come now, my pretty birdie"; "Gently now, my pretty girl";—meantime patting and caressing her. She soon understood, and, in time, learned to trust him, and to submit willingly to his guidance—and often, after he had safely guided her around some frightful mud-hole, or almost impassable barrier, and turned, with a reassuring caress, to mount his own faithful horse, who always kept closely behind, Queen would put out her nose for another pat, which she would be sure to get. Then he would exclaim: "Oh, you're a beauty! Almost as lovely as a woman." When he was compelled to leave us by the roadside, to go forward to assist in extricating some unfortunate, he would say to me: "Now let me assist you off. It will rest you. I am afraid you will get very tired." Queen was restless in his absence, and anxiously watched for his coming. Intelligent animals always realize their surroundings, and soon learn, in danger, to depend on the superior human intelligence.

The woods reverberated with whoops, yells, and curses. The cattle "bunched up," crowded each other, and some rolled down the hill to their death. The wagons mired so deeply that they had to be pried up, and the teams doubled to pull them out. And so the long day wore on, until about 4 p. m., after twelve hours of desperately hard work, the rear end of the mule train emerged from the canyon upon a beautiful green slope, bedecked with wild flowers. The first part of the pack-train had already been relieved of their burdens, and were quietly grazing with intense enjoyment upon the luscious grass. The sight, to me, was perfectly enchant-



ing, as I jumped off my poor, tired Queen. We were both covered from head to feet with mud. Our good, gallant friend speedily relieved her of her trappings, and the next minute she was down, rolling on the clean grass, and rubbing the mud from her handsome coat. The hungry cattle now appeared, and instantly made for the grass. Water they had had all day in plenty, but no food. Some of the men who got out first volunteered to go back and help bring out the wagons, which sorely needed their aid. With their strong ropes hitched on in front of the horses, they kept them on their feet, and helped them through, and both man and beast rejoiced at the end of their severe exertions.

I assisted the packers, and we soon had a good supper for all, to which we sat down with appetites suited to the occasion, amid general congratulations on our good day's work. The next day we regretfully bade adieu to our good friends the packers, only wishing we could have kept up with them.

And this was frontier life! Hard, strenuous, often dangerous, but full of free, fresh out-of-door enjoyment, and rich in those noblest qualities of the race,—courage, resolution, patience, industry, honesty, hope, patriotism, chivalry, cheerfulness, helpful kindness and hearty good will.

## CHAPTER IV.

The remainder of our trip after getting through the canyon, was uneventful, but pleasant. We remained several months with his father and mother, both assisting with the milking, and he on the farm and I in the house and dairy.

At this time there was much gold excitement in and around Yreka, and Mr. Hill decided to go there, and thinking we could not take the cows, he sold them. And now we had some money. Then he suggested that before we went off so far, we ride back and visit my folks. "It would only take a few weeks, and cost very little." By this time I was homesick, and, of course, glad to go, and so we went. I could see that father did not approve of Mr. Hill's having sold my cows. He said to him:

"Now take my advice, and settle down; and remember that a 'rolling stone gathers no moss.' It does not take long for a few head of cattle to grow into money."

Our visit over, we mounted our horses, and said goodbye again. Along the road, at convenient intervals, stood roadside inns, for the accommodation of travelers. One of the best of these was kept by two brothers, bachelors, one of whom stuttered badly. He was the cook and housekeeper. My husband knew them well, and always made it a point to stop there, coming and going.

Just after we had alighted, and Mr. Hill was leading our horses away, a man rode up, and inquired how far it was to the next stopping-place. Our landlord, anxious to reply promptly, began stuttering and sputtering, twisting his face into the most frightful contortions, and working himself all over, in the effort to reply.

The stranger sat on his horse, gazing at him in amazement. At last the landlord blurted out:

"D—d—n it! go on! You'll get there b-bfore I can tell you!" and made for the house.

I told the man it was about four miles, and he rode on, convulsed with laughter. This expression was repeated as a by-word on similar occasions by all the country round for many years, and may be current there now, for aught I know.

From here we proceeded on to the mountain-house, then owned and kept by a Mr. Russell, the husband of Mr. Hill's youngest sister, who was one of the most lovely women I ever knew. She

and I were about the same age, and we became very much attached to each other, and, I am happy to say, we have continued up to this time warm friends, with never a word to jar our pleasant relations. She, long since widowed, lives in Ashland, Oregon, surrounded by her admirable family, and honored and loved by all who know her. I can say with pride, that I have retained the respect and confidence of all Mr. Hill's family, who are, and have been among the most respected and esteemed pioneers of Jackson county, Oregon.

We found the dwellers at the Mountain House in a state of great excitement. The day before, two men had been attacked and killed on the mountain, and the mail, and all travelers must wait till a sufficient number of men could be gathered together to make traveling safe, or till the soldiers could come to guard the U. S. mail and the teams.

At the end of three days a large company was collected;—at least half a dozen wagons with families, a long pack-train, and a good many horsemen, and miners with their pack-animals. Men and women were not easily frightened in those days. With twenty men, well armed, we felt no fear. We started over that mountain more like a party going to a picnic, than people going into deadly danger.

The men, however, kept a sharp lookout for "the red devils," but saw none, and we reached Yreka safely, and in good time.

Mr. Hill had an aunt, his father's sister, a Mrs. Kelly, living there. She had had but one son, who had been recently killed in the war with the Rogue River Indians, and her great sorrow for his loss was still fresh. As soon as she heard we were in town, she came at once to see us, and said to my husband:

"Now, Legrand, you must get right to work; there's plenty to do here, at good wages. But you must not leave this little wife of yours alone, for there are too many rough, drinking men in the place; but she will be safe with me. I can help you both in many ways. So you pack up everything and move right over to my house." I was delighted, and she proved to be one of the dearest and best of mothers to me.

She was a woman of executive ability, and a real money-maker; but, like most women of such ability, she had a husband who wheedled it out of her about as fast as she made it.

She kept from one to two cows and a flock of chickens, from which she sold milk and eggs, made pies and cakes for sale, and

took in sewing. She received \$3 for making a white shirt, and was paid for everything else in proportion. She was a most excellent seamstress, and she found in me a more than willing student, as I was anxious both to learn and to make money also. And so we worked together, she giving me all, and usually more than I earned.

Her husband was selfish and unsympathetic, and often scolded her for grieving for her dead boy, who was the son of her first husband. Then the poor mother would turn to me for sympathy, which she unfailingly received. She soon transferred her affection to me, and took great pride in making my clothes fit me perfectly, and in dressing me becomingly. Often she would say:

"Now, I am going to see that you have plenty of nice clothes, and I shall not let you give it to Legrand to fool away." (He had lived with her for eight or ten years in his boyhood, and she thoroughly understood him, and felt she had a right to advise him and instruct him as to what he ought to do. Had he followed her advice, he would have succeeded, instead of making a failure.)

"Legrand," she would say, "I want you to buy a lot, while you have the money to pay for it. First thing you know, the money will all be gone, and you'll have nothing to show for it. Then, get in, and build a house. It is high time you were getting settled."

In March a small, one-roomed, battened house, with a "lean-to" for a kitchen, and a lot, were for sale at \$450,—only a block from Aunt Kelly's. That was then a great bargain, and we bought it, paying \$300 down, all the money left from the sale of my two cows, heifer and the wagon and horses. My Queen was out on pasture, and continued to be a "bone of contention," as she was only an expense. But I stoutly refused to have her sold, and Aunt Kelly stood by me, declaring he should not sell her, as she would herself pay for her pasturage before it should be done.

We moved into our new house in March, with the \$150 mortgage hanging over us. On April 17th, 1856, our baby was born, and then Aunt Kelly begged me to give him to her, addressing me thus:

"Now, Bethenia, you just give him to me. I will take him, and educate him, and make him my heir. I will give him all I have, and that is more than his father will ever do for him. I know very well that Legrand will just fool around all his life, and never accomplish anything."

She seemed to think my consent to her having the child was all that was necessary. But my baby was too precious to give to anyone.

I continued to work with Aunt Kelly, who was always overcrowded with work, and as we were so near by each other, I could do much of it at my own home; so that, in time, I was able to get many little conveniences and comforts for the house, beside a good share of our groceries. Mr. Hill neither drank or used tobacco, but, as his aunt said, he simply idled away his time, doing a day's work here and there, but never continuing at anything. Then, too, he had a passion for trading and speculating, always himself coming out a loser; and thus the time dragged on, until September, 1857, when who should drive up, one glad day, but my father and mother. Father had heard how things were going with us, and had come, prepared to take us back with them in case we were willing to go, but he was too discreet to let this be known till later. He and mother wanted to see the country; the children were large enough to look out for things at home; and they especially desired to see my baby.

It did not take them long to understand that we were barely living "from hand to mouth," as it were, with most of the work coming on me, so father said:

"How would you like to go back to Roseburg? It is a growing town. I have several acres in it, and if you think you would like to make the change, I will give you an acre of land, and the material for a good house, which you can put up this fall. The boys can help you, and there will always be plenty of work at carpentering in town."

To say that we were delighted with this proposal expresses it but faintly. We sold our house and lot in Yreka, realizing less than \$100 out of transaction, as the \$150 mortgage and interest had to come out of the sum received for the property, but father said "A bird in the hand is worth two in the bush." We were soon packed, and ready to start again on our migrations. There was but one regret on my part, that was leaving dear old Aunt Kelly, who had been so good to me, and had taught me so many useful things. With many tears and sobs, I bade her good-bye.

My tears were always near the surface in my young days, and overflowed easily. Mother frequently said, "Your tears lie very shallow; you are always either at the top or bottom. There was

no middle ground for me, and my likes and dislikes were positive in the extreme.

The weather was fine, and we all enjoyed the trip, only one accident occurring, and that came near ending in a terrible tragedy.

Mr. Hill was driving the team. Mother sat on the back seat, holding in her arms my youngest sister (now Mrs. Alvah Pike, of Portland, Oregon). I sat on the front seat beside my husband, with my baby in my arms. My father was walking behind, leading my mare, Queen. As we were descending the Siskiyou mountains into Oregon, we came to a deep gulch, spanned by a high, narrow bridge, at least forty feet above the stream below, which ran among immense boulders. The road beyond was steep, narrow, and rocky, and turned sharply to the left. The moment we were across the bridge, Mr. Hill started up the horses briskly, applying the whip, to which they were totally unaccustomed in climbing a hill. In springing suddenly and strongly forward, one wheel of the wagon came violently in contact with a large rock, and, in his hasty attempt to bring them around, he pulled the lines too hard, and they began to back toward the bridge. I saw the danger, and, instantly, with one bound, I was on the ground, with my babe in my arms. Turning, I heard father's commanding voice shouting "Whoa!" and saw him running toward us. The next instant he had seized the spokes of the wheel, and thrown his full strength into one supreme effort to check the wagon, which he succeeded in doing, just as the wheel was at the very edge of the bridge! Meanwhile, I had placed my baby on the ground and seized a solid chunk of wood that fortunately lay near, and wedged it under and behind the wheel. Thus an awful tragedy was averted. Not till the danger was past did I realize that I was hurt. I now found that I had sustained a severe sprain of the instep of my right foot, from which I have suffered very much at times, ever since. Mother removed my shoe, and wrapped my foot in a thick cloth, saturated with water from the creek under the memorable bridge that came so near being our death, after which we continued our journey, father now driving, which he continued thereafter to do on all bad places.

On reaching home, father told me I could go over and select my acre of land, and our building-spot, which I gladly did. He told Mr. Hill he could have the team, and he and the boys could haul the lumber for our house, so that he could get to work on it at once.

They hauled the lumber, but, in the meantime, Mr. Hill had been talking with a man about burning brick. This man had some land a mile from father's and a team, and he offered to go into equal partnership with Mr. Hill in the business of brickmaking there, each, beside his own work, furnishing one man to help, and I was to do the cooking for them all, for the use of the team.

Father endeavored, in every way, to dissuade him from going into this undertaking, telling him that it would be impossible, so late in the season, to prepare a yard, and burn a kiln of brick before winter; and that soil had never been tested, and there was no certainty that it was suitable for the purpose, etc., but the more he talked the more determined Mr. Hill was to put all the little money we had into the venture, and so he moved me and my young child into a tent in a low, damp valley, near the river, and their work and mine was begun. But it was never half completed, for when they had only a few hundred of brick molded, it began to rain continuously, and put a stop to their work, and in addition to this ill-fortune, I was stricken down with typhoid fever. Father and mother came with the wagon, and moved us back to their home. It was now late in November; winter was upon us, and still our house was not touched.

When I became convalescent, father urged Mr. Hill to begin the house. He replied that he wanted a deed to the acre of land before beginning the house.

Father then told him that he and mother had talked it over, and had decided to deed the property to me and the boy; that he had given us one good start, and now, after three and a half years, we had nothing left but one horse, and that he thought it best to secure a home for me and the child in my own name.

This enraged Mr. Hill, who said he would not build on the lot unless the deed was made to him, as he was the head of his family. Father advised him to think it over, and not to act rashly.

He sulked for a time, and then bargained for a lot in town, after which he hired a team, and hauled the lumber off from the acre to the lot, and began to build the house. All this time we were living off father, who said nothing; but furnished the shingles, and told Mr. Hill to get nails, and anything he needed, at the store, on his account, which he did. In time, the roof was on, and the kitchen partly finished, and we moved in. The kitchen was so open that the skunks, which were very numerous in that region at that time, came under the floor nights, and up into the

kitchen, where they rattled around among the pots and pans, even jumping on the table, and devouring the food, if I did not keep everything securely covered, while I often lay and listened to their nocturnal antics, not daring to get up to drive them out, as the dire consequences of disturbing them suddenly were well known, and dreaded.

My health was poor. I had not been strong since the baby came, and I could not seem to recover from the effects of the fever. The baby was ill and fretful, much of the time, and things were going anything but smoothly. A short time before the climax, I went home and told my parents that I did not think I could stand it much longer. Mother was indignant, and told me to come home, and let him go; that "any man that could not make a living with the good starts and help he has had, never will make one; and with his temper, he is liable to kill you at any time."

Father broke down, and shed tears, saying:

"Oh, Bethenia, there has never been a divorce in my family, and I hope there never will be. I want you to go back, and try again, and do your best. After that, if you cannot possibly get along, come home." I went back, greatly relieved, for I knew that if I had to leave, I would be protected.

Our trouble usually started over the baby, who was unusually cross. He was such a sickly, tiny mite, with an abnormal appetite, but his father thought him old enough to be trained and disciplined, and would spank him unmercifully because he cried. This I could not endure, and war would be precipitated at once. A few days before our separation, his father fed him six hard-boiled eggs at supper, in spite of all I could do or say. I slept little that night, expecting that the child would be in convulsions before morning. And thus one thing led to another until the climax was reached.

Early one morning in March, after a tempestuous scene of this sort, Mr. Hill threw the baby on the bed, and rushed down in town. As soon as he was out of sight, I put on my hat and shawl, and, gathering a few necessities together for the baby, I flew over to father's.

I found my brother ferrying a man across the river, and I went back with him. By this time, I was almost in a state of collapse, as I had run all the way,—about three-fourths of a mile. Brother, seeing that something was wrong, and always ready to smooth out



the wrinkles, took the baby with a smile, saying: "Give me that little "piggy-wig"; and shall I take you under my other arm? It seems to me you're getting smaller every year. Now, just hang on to me, and I'll get you up the hill, all right. Mother will have breakfast ready, and I guess a good square meal is what you need."

The next day father saw Mr. Hill, and found he had been trying to sell the house and lot. Father told him that he would come with me to get my clothes, and a few things I needed, and that he (Mr. Hill) could have the rest. That he (father) would take care of me from that time on, and that when he (Mr. Hill) sold the house and lot, I would sign the deed, as the lot was not paid for, and the unfinished house would, according to law, go with it.

However, before Mr. Hill found a purchaser, he had repented, and come several times to get me to go back to him. I said: "Le-grand, I have told you many times that if we ever did separate, I would never go back, and I never will."

## CHAPTER V.

And now, at eighteen years of age, I found myself broken in spirit and health, again in my father's house, from which, only four short years before, I had gone with such a happy heart, and such bright hopes for the future.

It seemed to me now that I should never be happy or strong again. I was, indeed, surrounded with difficulties seemingly insurmountable,—a husband for whom I had lost all love and respect, a divorce, the stigma of which would cling to me all my future life, and a sickly babe of two years in my arms, all rose darkly before me.

At this time, I could scarcely read or write, and four years of trials, and hardships and privations sufficient to crush a mature woman, had wrought a painful change in the fresh, blooming child who had so buoyantly taken the duties and burdens of wifehood and motherhood on her young shoulders. I realized my position fully, and resolved to meet it bravely, and do my very best.

Surrounded with an atmosphere of affection and cheerfulness, with an abundance of nourishing food, my health rapidly returned, and with it came an increasing desire for education, that I might fit myself for the duties of a mother, and for the life yet before me.

At this time, there was as good a school as the country then afforded in Roseburg, distant not more than half a mile.

My little George, too, felt the beneficial change, fully as much as I did, for my mother's idea of raising children could not be improved upon—simply to give them sufficient wholesome food, keep them clean and happy, and let them live out of door as much as possible.

George was such a tiny creature, and so active in his movements that my young brothers and sisters felt him no burden, and always had him with them out of doors; so after pondering the matter for some time, I said one day:

"Mother, do you think I might manage to go to school?"

"Why, yes," she answered; "go right along. George is no trouble. The children will take care of him."

I joyfully accepted this opportunity, and from that day on, I was up early and out to the barn, assisting with the milking, and doing all the work possible in the house, until 8:30, when I went

to school with the children, my younger brothers and sisters. Saturdays, with the aid of the children, I did the washing and ironing of the family, and kept up with my studies.

At the end of my first four months' term I had finished the third reader, and made good progress with my other studies of spelling, writing, geography and arithmetic.

In September, Mr. and Mrs. Hobson (Mrs. Hobson was my eldest sister, Diana) came to visit us; and on their return home, Diana begged me to go home with them, and I went.

With a light wagon, and a span of good horses, the trip over the same road and beautiful country through which I had passed five years before, was delightful.

Soon after we reached my sister's home on Clatsop, only two miles from my father's old farm, we went on a visit to our good and worthy neighbor, Mrs. Morrison, who said to me:

"Bethenia, why did you leave your husband?"

"Because he whipped my baby unmercifully, and struck and choked me,—and I was never born to be struck by mortal man!"

"But did he commit adultery?"

"No."

"Then, my dear child, take my advice, and go back, and beg him on your knees to receive you,—for the scriptures forbid the separation of man and wife for any other cause than adultery."

I replied: "I think there are other things quite as bad as that." She shook her head, with deep gravity, saying:

"My child, you must not set up your opinion against the Holy Bible."

Several years later, when I was again on Clatsop, Mrs. Morrison gave a quilting party, to which the whole neighborhood was invited. The weather was propitious, and everybody was expected to come early. The night before the party, a daughter of Mrs. Morrison, herself the mother of a large family, and expecting another soon, fled from her home and brutal husband, to her father's house for protection. Her arms and face were bruised and swollen, and the livid marks of his cruel fingers were on her throat!

This was a terrible shock to the dear old lady's ideas of Bible interpretation, and when she saw me the next day, like the honest, sincere Christian that she was, she walked promptly up to me, and said, with much emotion:

"Bethenia, a few years ago I chastised you because you left

your husband for brutal abuse. God has justly punished me, and now, before all these women, I want to ask your forgiveness. When I saw my own child bruised and mutilated, I realized that there are things as bad as adultery."

I threw my arms around that dear old neck, and we mingled our tears together.

Long years after, when her time had come to bid this earth adieu, and I was called to attend her professionally, at her bedside I met her three daughters, now past the meridian of life, with kind faces and beautiful gray hair, all lovingly anxious to make their beloved mother's last hours as peaceful as possible. It has never been my lot to witness a death-bed where more Christian devotion and resignation were manifested. A few years later, when Captain Morrison, her husband, received his last call, and followed his saintly wife, I was again summoned to render my professional services.

And still later, when the secretary of the Pioneer Association asked me to write biographical sketches of all the Clatsop pioneer women coming to Oregon prior to 1849, to be preserved in the archives of the society, I did not forget to record the heroic deeds and self-sacrificing life of this grand woman, likening her, as her majestic carriage and exalted character well deserve, to Joan of Arc.

Before going to Clatsop, in the fall of 1859, with my sister, I applied for a divorce, and the custody of my child, and petitioned for the restoration of my maiden name of Owens.

In the spring of 1859, my brother Flem met me in Salem with a team, and together we returned to Roseburg in time for the session of court before which my case was to appear.

The suit was strongly contested on account of the child, which Mr. Hill's widowed mother was anxious to have, thinking her son would be thus induced to make his home with her, so that she might remain in her own home, all her other children now having homes of their own.

My father employed Hon. Stephen F. Chadwick on my behalf, and he won my suit, including the custody of my child, and the permission to resume my maiden name.

A circumstance which seems stranger than fiction occurred more than thirty years later, when I was visiting Ex-Governor and Mrs. Chadwick, at their home in Salem by special invitation, during the session of the Legislature.

They had visited us at our home in Sunnymead the summer before.

The Governor met me at the train, and seemed about in his usual health. We all attended the session of the Legislature that afternoon. At dinner the Governor had been conversing animatedly in his usual happy strain.

"Jane," he said to his wife, "we'll give the doctor a feast next Thursday evening. You know we are to have our church social then."

His daughter Mary who had just risen to change his plate, remarked:

"We may not find so much to eat."

"Oh, yes, we shall," he rejoined; "I know how to get the best, and we will have it."

At that moment, as his daughter moved toward the sideboard, he gave a little characteristic cough, and she said: "Shall I get you a glass of water, papa?"

"No, I thank you," was his reply.

Turning toward the table the next instant with the dessert in her hand, she gave a piercing scream.

I was sitting between him and his wife.

Startled and alarmed, I looked up instantly, and saw the Governor sitting bolt upright, his head thrown back, and his face livid. I sprang to his side, laid him prone on the floor, and loosened his clothes, but to no avail. That noble heart was still;—the Governor was dead!

Never, never before did I so deeply, keenly feel how true it is that in the midst of life and joy come sorrow and death.

In the unexcelled language of Mrs. Hemans—

"Leaves have their time to fall,

And flowers to wither at the north wind's breath,  
And stars to set,—but all

Thou hast all seasons for thine own, oh Death.  
Thou art where friend meets friend,

Beneath the shadow of the elm to rest;—

Thou art where foe meets foe, and trumpets rend

The skies, and swords beat down the princely crest."

After the decree of the court was rendered giving me custody

of my child, and my father's name, which I have never since discarded, and never will, I felt like a free woman.

The world began to look bright once more, as with renewed vigor and reviving hope, I sought work in all honorable directions, even accepting washing, which was one of the most profitable occupations among the few considered "proper" for women in those days.

(I am here reminded of a characteristic courageous, and, at the time, iconoclastic, declaration by Mrs. Duniway in the New Northwest, at the time of the bitter uprising against Chinese labor, and the summary expulsion of all Chinese from many localities on the Pacific Coast, to-wit: "White men will not wash. White women have no business to wash, and we must have Chinamen for that purpose!")

My father objected to my doing washing for a living, and said:

"Why can't you be contented to stay at home with us; I am able to support you and your child?"

But no. No amount of argument would shake my determination to earn my own livelihood, and that of my child, so father bought me a sewing machine, the first that ever came into that town, and so, with sewing and nursing, a year passed very profitably.

My sister, Mrs. Hobson, now urged me to return to her on Clatsop, as she greatly needed my help. I went, but soon became restless, because of my intense thirst for learning. An education I must have, at whatever cost. Late in the fall of 1860, sister and I went over to Oysterville, Wash., to visit my old and much-beloved girl-friend, Mrs. S. S. Munson. The few days which my sister had arranged to stay, passed all too quickly, so Captain and Mrs. Munson assured Mrs. Hobson that they would see that I reached home safely if I might stay till we "got our visit out."

I told Mrs. Munson of my great anxiety for an education, and she immediately said:

"Why not, then, stay with me, and go to school? We have a good school here, and I should like so much to have you with me, especially farther on."

To this generous offer I replied that I would gladly accept it if I could only find some way of earning my necessary expenses while attending school. Mrs. Munson replied:

"There are my brother and his hired man; I can get you their

washing, which will bring you in from \$1.00 to \$1.50 per week, which will be all you will need."

To this I gratefully assented; and I did their washing evenings. Work to me then, was scarcely more than play, and, as "change in work brings rest," I assisted in the other domestic work with pleasure, especially as Mrs. Munson was a methodical and excellent housekeeper, and I loved and enjoyed order and neatness in the home above all things.

Thus passed one of the pleasantest, and most profitable winters of my life, while, "whetted by what it fed on," my desire for knowledge grew daily stronger.

My sister, Mrs. Hobson, now urged me to come back to her, and I said to her:

"I am determined to get at least a common school education. I now know that I can support and educate myself and my boy, and I am resolved to do it; furthermore, I do not intend to do it over the washtub, either. Nor will I any longer work for my board and clothes, alone. You need me, and I am willing to stay with you the next six months, if you will arrange for me to go to school in Astoria next winter."

She agreed to this. Some time later, I said to her: "Diana, don't you think I could teach a little summer school here on the plains? I can rise at four, and help with the milking, and get all the other work done by 8 a. m. and I can do the washing mornings and evenings, and on Saturdays."

She said: "You can try," so the following day I asked Mr. Hobson if he would not get up a little school for me. He replied:

"Take the horse and go around among the neighbors and work it up yourself."

I lost no time in carrying out his suggestion, and succeeded in getting the promise of sixteen pupils, for which I was to receive \$2 each for three months.

This was my first attempt to instruct others.

I taught my school in the old Presbyterian church,—the first Presbyterian church-building ever erected in Oregon. Of my sixteen pupils, there were three who were more advanced than myself, but I took their books home with me nights, and, with the help of my brother-in-law, I managed to prepare the lessons beforehand, and they never suspected my incompetency.

From this school I received my first little fortune of \$25; and

I added to this by picking wild blackberries at odd times, which found a ready sale at fifty cents a gallon.

Fall found me settled at the old Boelling hotel in Astoria, with my nephew, Frank Hobson, and my little son George. Our board was paid, I taking care of our small room, and our clothes, with the privilege of doing our washing and ironing on Saturdays. And now I encountered one of my sharpest trials, for, on entering school, and being examined in mental arithmetic, I was placed in the primary class!

Mr. Deardorff, the principal, kindly offered to assist me in that study after school, and, later, permitted me to enter both classes. Words can never express my humiliation at having to recite with children of from eight to fourteen years of age. This, however, was of brief duration, for in a few weeks I had advanced to the next class above, and was soon allowed to enter the third (and highest) class in mental arithmetic.

At the end of the term of nine months, I had passed into most of the advanced classes;—not that I was an apt scholar, for my knowledge has always been acquired by the hardest labor,—but by sheer determination, industry and perseverance. At 4 a. m. my lamp was always burning, and I was poring over my books,—never allowing myself more than eight hours for sleep.

Nothing was permitted to come between me and this, the greatest opportunity of my life.

The following summer was spent on Clatsop with my sister, milking, making butter, and assisting in all the laborious, and never ending work of a well-managed farm.

This was now 1862, during the civil war, and the State had called upon the counties to contribute to the Sanitary Commission, organized for the aid and comfort of our soldiers in the field. Public interest and sympathy in the cause was intense, and all were ready to do their part.

It was suggested, among other things, that Clatsop, being a dairy region, should furnish a mammoth cheese;—but who was able to make it, and where could a hoop of sufficient size be found?

It so happened that Mr. Hobson had a man working for him who had made cheese, and understood the process. He and I, therefore, volunteered to attempt the manufacture of the caseous monster, the milk to be furnished by the county. Milk was then abundant, and Mr. Hobson suggested that a small hogshead might



answer for a hoop, by sawing off both ends, and using the middle, the iron bands around which could be filed off after the cheese was made. This was done.

Several of the huge pots then so much in use for washing and soap-boiling, were provided, and also a number of large tubs for setting the curd; and, with an improvised press, we were ready for the milk, which came in lavish abundance, for this was everybody's cheese.

When finished, the cheese was pronounced a complete success, and it certainly was, in size.

Previous to the State Fair, where it was to be exhibited before its final disposal, it was taken to Astoria, where it was sold at auction, sold and re-sold until the sum of \$145 was realized in Clatsop county from our big cheese, for the good cause.

After this, I was chosen to convey it, in the name of Clatsop county, to the State Fair at Salem, the capital, where, notwithstanding my assertion that I did not deserve it all, the full credit for it was given to me, and circulars were sent out setting forth in staring head-lines:

MRS. OWENS' BIG CHEESE FROM CLATSOP COUNTY!!

IT HAS ALREADY BROUGHT \$145 IN ASTORIA!!!

It will be on exhibition at the State Fair in Salem, after which it will be re-sold, and its proceeds sent to the soldiers in the field!!

This program was carried out, and I afterward heard that the total proceeds from our big cheese were between four and five hundred dollars.

As to whether the cheese itself ever reached the "boys in blue," and whether or not they found it palatable, and digestible, I was not informed.

Autumn having again arrived, I rented three rooms in what was then known as the "Old Gray House," in Astoria, a large, square, cupola-crowned wooden building, erected by the late W. H. Gray, author of a history of Oregon, and occupied by himself and family for a number of years as a residence. It stood on the beach, its front resting on the ground, and its back supported by piles, five or six feet in height, over the waters of the Columbia river; so that at high tide the house was almost entirely over the water, which at the highest tides flowed over the bank, and

spread far out on the flats, toward the hills, requiring, at such times, a boat to reach the main town. This, however, was of rare occurrence.

My rooms were in the second story, and several rooms on the same floor were occupied by a Mr. and Mrs. Lowell, excellent and cultivated young people, of exceptional attractiveness. Their apartments were situated immediately across the hall from mine, and there were many empty rooms in the spacious old building, then otherwise unoccupied.

Many had been the happy social gatherings in its hospitable parlors below when occupied by Mr. Gray, his estimable wife, and their musically gifted, intelligent and social sons and daughters, and its vacant halls seem yet to ring with the sound of merry laughter, and pleasant voices of the past.

Here, in three small rooms, I set up housekeeping, with barely the necessary furniture, and a scanty larder, which was supplied by my savings from blackberry-picking, and other odd jobs of sewing, crocheting, etc. I was ready and eager for school, but my daily expenses (for two, as my child was always with me,) must be met, and this is how it was done: I engaged to do the washing for two large families, and the washing and ironing for another, for which last I received two dollars weekly, and which I did at my rooms, evenings and Saturdays.

Sunday night found me and little George at Captain C's. At 4 a. m. Monday I was in the kitchen at my task. George went with their children to school at 8:30, and at 10 a. m., my washing done, I followed them.

Monday night, and Tuesday morning, this program was repeated at Dr. T's.

For all this work, I received five dollars each week, including the kindest treatment from all my employers. This enabled me to meet all my expenses, especially as, living on the beach, George and I were able to pick up most of our wood from the drift.

Thus I was as happy in my independence, I dare say, as is John D. Rockefeller, with all his "tainted" wealth, and far more hopeful for the long future yet before me.

There was, at this time, in Astoria, a kind and estimable gentleman, of middle age,—Capt. A. C. Farnsworth, by name, a Columbia River bar pilot. Being a special friend of Mr. and Mrs. Hobson, he was familiar with my struggles for an education, from the first.

One rainy evening, he called at my rooms. George had been snugly tucked into bed, and I was ironing at the table, with my book in front of me, for in this way I always studied while I worked, my hands, like those of the musician, being trained to do their mechanical part, with little assistance from my brains, which were employed mainly elsewhere.

Removing his heavy overcoat, and seating himself by the table, Captain Farnsworth said:

"Have you no time to talk?"

"Oh, yes," I responded; "I can talk and work, too."

"Well," he continued, "I want you to put away that work. I have come to talk with you, and I want you to listen well to what I have to say."

I closed the book, removed the ironing cloth and basket, and sat down, not knowing what was coming, but feeling very apprehensive. He saw this and smiling reassuringly, said:

"Don't you ever get tired?"

"Oh, yes, but I get rested easily, and quickly."

"How long do you expect to go on this way?"

"I don't know," I answered.

"I do not like to see you working in this way," he continued; "and I have come to see you as a friend; and I want to be a true friend. I am alone in the world. The nearest relative I have is a nephew. I have more money than I need, and I think I cannot do better with it than help you."

Trembling, and with moist eyes, I exclaimed: "No, no! I cannot take money from you!"

"Now don't be foolish," he hastened to say; "but listen to me. I know you are thinking it will compromise you; besides, you are a great deal too independent for your own good. I am a good deal older than you are, and know vastly more of the world than you do, and I want you to thoroughly understand that if you accept the offer I make you, you are never to feel under the slightest obligation to me. My offer is this: You are to select, and attend any school in the United States, for as long a time as you choose, and I will furnish the money for all the expenses of yourself and boy, and no one shall ever know from me where the money came from. If you say so, I will promise never even to write to you."

Could there have been a more generous, unselfish offer? I was now in tears, but my self-will, independence, and inexperience

ence decided me to refuse it. I preferred to rely on my own exertions, rather than to incur such an obligation from even so good a friend.

The acceptance of that offer would doubtless have changed my whole life, but who can tell if for better or for worse?

Captain Farnsworth was thoroughly disgusted with my obstinacy, and, though he continued a friend, he showed less interest in me from that time.

I am free to acknowledge that many were the times during my after years of struggles and hardships, in my supreme effort to get ahead, in which I bitterly repented my hasty decision, feeling that it was the mistake of my life. The acceptance of that offer would have far earlier opened the doors of science, and saved me many long years of bitter experience, and irretrievably lost opportunities.

Others, also, beside my generous friend, the Captain, had been observant of my efforts. At that time Col. James Taylor and Mr. David Ingalls were the school directors of that district, and, as the wife of the principal was prevented by illness from continuing as assistant in the school, they generously selected me to fill her place at a salary of \$25 per month, for the remaining three months of the term. This was, indeed, a wave of prosperity! And, as one good thing sometimes brings another, I was offered a room and board, for the care of nine rooms in a private boarding-house, which I promptly accepted. I asked, and received, permission, while teaching in the primary department of the school, to recite in two of the advanced classes. I also joined a reading and singing class which met an evening of each week.

When I took my place as teacher there, a young lady from Oysterville, who was far ahead of me when I attended that school with her two years before, now recited to me, a circumstance that went far toward removing the sting of humiliation I had felt on being placed in the primary arithmetic class, as before related. Before the expiration of this term, I had received an offer to teach three months' school in Bruceport, on Shoalwater Bay, at \$25 per month and board. "And to board around."

Judge Cyrus Olney was then county school superintendent, and it was with fear and trembling that I applied to him for examination and a certificate. But he said to me:

"I know you are competent to teach that school. I have had

my eye on you for over a year, and I know you will do your duty. I will send you a certificate." And he did.

This was a great encouragement to me, and increased my determination to do my best.

I accepted the school, and, with my boy, I was away the very next day after my Astoria term closed, to Bruceport, where I began teaching at once. After I had taught here two weeks, a subscription was raised among the few families, and more numerous oystermen, for another three months school, (making a six months' term, in all).

Before this was completed, I received and accepted an offer of the Oysterville school (the same school I first attended), where I "boarded around," as was then the prevailing custom. This enabled me to spend more time with my friends the Munsons, my friendship with whom has never grown less; and when, over forty years later, Captain Munson received his last call from his Great Commander, mine was the sadly pleasant task of covering his casket with beautiful flowers from my garden,—flowers not more fragrant than the memory of his constant kindness and genial, generous spirit will ever be to me.

The Oysterville school then had the undesirable reputation of being ungovernable, and it was my reputation for good government that secured me the situation, a reputation which was not lessened by an incident that transpired soon after I took charge of the school.

Among my pupils was a well-grown boy of eighteen. He was a well-disposed youth, but silly and injudicious men had guyed him about having to mind a "school marm," and for a "joke," had put him up to breaking the rules, which I had written out, and hung up on the walls of the school room.

I had heard of this, and expected trouble. This boy whispered, and I rebuked him, explaining the necessity for the rule forbidding whispering in school, in the presence of the children. He soon repeated the offense, however, and I took no outward note of it, though aware that several of the pupils knew I had seen him.

On dismissing the school, I said to him, pleasantly:

"Remain after school, a moment, please; I want to speak to you."

He kept his seat, and as the last child passed out, I locked the door, removing the key, which I always carried.

Going back to him, I said, kindly:

"I know you are not a bad boy, but you are almost a man, and you should, and I intend you shall, set a good example before the younger members of this school. I will excuse you this time, with the understanding that if you repeat this offense, I will have to punish you before the whole school by giving you ten blows on the open hand with the ferrule, and if you attempt to resent this punishment, I will call in the directors, who will stand by and see it administered, for you must understand clearly that I am mistress of this school. You may go, now, and I hope I shall have no more trouble with you." I had none, thereafter.

The curiosity of some of the children prompted them to listen outside, and through the thin boarded walls they heard all that was said, and of course repeated it so that it was generally known.

On receiving the offer of the Oysterville school, my reply was: "I will engage to teach for you, if the directors will pledge their support to the government of the school."

This they readily did. There were three pupils in that school who made all the trouble;—an Irish girl, and two boys, and the girl was the ring-leader.

It was not long before one of these boys stuck a pin into the girl sitting in front of him. I reprimanded him, but he only grinned impertinently. I told him to bring his lunch on the following day, and stay in during the noon hour. He failed to make his appearance the next morning, but in the afternoon, his older brother came, dragging him to school. I opened the door, and drew him in. He wore heavy shoes, and in his rage he kicked me viciously. This was a trifle more than my temper could bear, and I seized him by the shoulder, and fairly churned the bench with him, which subdued the young gentleman (who had not expected to encounter such muscle in a lady) in short order.

At the close of the school, I gave him his choice between remaining in during the noon hour for one week, or receiving five blows on each palm with the ferrule at once. He chose the whipping, and I administered it.

The Irish girl was living with one of the directors, who afterwards told me that she came running home that evening, exclaiming:

"Well! I tell you, it's no use fooling that teacher. She don't scare worth a cent!"

This girl of twelve proved to be one of my best pupils, both in behavior and aptitude.

Before the close of this school I received a call from Clatsop to teach a four months' school there, at \$40 a month, and board myself.

It was again spring; that loveliest season of the year when Nature clothes the brown old earth with richest green, and pours out upon it her boundless treasure of beautiful and fragrant blossoms;—"The time of the singing of birds," when my heart was always lightest.

With my boy, I moved into the old parsonage at Skipanon, which had long been unoccupied, and had been used for storing hay.

It stood in the midst of a green, grassy plot, now made sweet and beautiful by the thousands of wild violets and buttercups sprinkled over it.

This I could have free of cost, and so, with a few boards and nails, and a little help from the kind neighbors, two rooms of the old house were made habitable, for the spring and summer months. I was as "happy as a lark." I was an expert, as experts went, in those days, on the sewing-machine, and with the crochet-needle. Crocheted nets were then much in vogue, and my crochet-needle was kept busy in making them. My work was always ready to take up, and thus every unoccupied moment was filled in, and thus I made all our expenses for living, and more.

I had, in this way, so far, managed to save up all my school money, and at the end of this term of four months, at \$40 per month, I would have \$400. My ambition now was to have a home of my own, and, with this brilliant prospect in view, I bought a half lot in Astoria, and contracted with a carpenter to build me a small, three-roomed cottage, with a cosy little porch.

To this, my last school, I can look with pleasure and satisfaction. The neighboring farmers and their families were kindness itself to me. They never forgot the teacher, and her little boy, but continually brought us good things to eat, and invitations to visit them over Sunday.

I was invariably up by five o'clock, looking over all the lessons for the day. Then came breakfast, and at 8:30 we were off for the pleasant mile walk to the school-house.

Thus the four months sped pleasantly away, and when my

school closed, my little home in Astoria was ready for me. It stood on the back end of that beautiful and sightly lot on which I. W. Case, the banker, later, built his handsome residence. I was as proud as a queen of my pretty little home, which was the first I had ever really owned; and the fact that I had earned it all myself made it doubly prized.

I had won the respect of all, and now work came to me from all directions. As I could "turn my hand" to almost anything, and was anxious to accumulate, I was never idle.

During all these years, Mr. Hill had been writing, and urging me to re-marry him, which I kindly, but steadily refused to do.

One winter night my machine was buzzing busily, while I sang as I sewed. There was a knock, I opened the door, and there stood the father of my child! He had come unannounced, thinking that his sudden appearance might overcome my opposition.

But alas for him! He found not the young, ignorant, inexperienced child-mother whom he had neglected and misused, but a full-grown, self-reliant, self-supporting woman, who could look upon him only with pity.

He soon realized that there was now a gulf between us which he could never hope to cross.

During all the years since we had parted, he had never even offered to contribute one dollar to his child's support, nor had I ever received a dollar from any source which I had not fully earned. He said:

"Can I come and take my boy down in town with me tomorrow? I will not ask you to awaken him tonight." I answered. "You may, if you will promise me that you will not try to run off with him, as you have so often threatened to do." He said: "I will promise that."

However, not daring to trust his word, I hastened, early next morning, to the sheriff, and told him my trouble, and he smiled reassuringly, as he said: "Now don't you worry, my dear little woman, he will never get out of this town with your child."



## CHAPTER VI.

In the fall I rented my little home, and went to visit my people in Roseburg. My brother and two of my sisters had married, and they all urged me to spend the winter among them.

During my stage trip to Roseburg, as we were descending a hill, one very cold night, some part of the stage, which was only a common farm wagon (a "dead-ax wagon" they called it then) gave way. The driver got out, and seeing that the break could not be temporarily repaired, fit for immediate use, he said to me:

"We are four miles from the next station, and it is as cold as blazes! Now you and the boy just lie still, and try to keep warm till I get back with a horse for you to ride. I'll try to get here in two hours, if I possibly can; but it is dark, and the road is rough, so don't be scared if you hear the wolves howl; for they will not touch you. I will leave two of the horses here, in order to get back as soon as possible."

George and I were lying in the bed of the wagon, back of the driver's seat, on an armful of straw, under a blanket and a buffalo-robe. We had been comfortable up to this time, as I had started with a hot brick, but it was growing colder, and now we began to become chilled. I removed George's shoes, and put his cold feet against my body, and held him close to me.

The wolves began to howl; the wind, laden with fine snow, whistled and whirled about us. The wolves kept up their dreary howling; while the horses stamped, and champed their bits, for they, too, were cold, and liked not the proximity of the wolves no better than did we; but I was glad of their companionship, feeling that it was some protection.

It was all of two and a half hours before the driver and another man came to our relief, bringing a horse for me. They wrapped George snugly in a blanket, and we started, the driver leading the other horses.

It was full daylight when we reached the station, where we were thawed out, and made comfortable. By noon we were again on our way and arrived in Roseburg in good time, where we received a warm welcome.

Mr. Abraham, my new brother-in-law, was a merchant, and, among them all, I was persuaded to go into the business of dress-making and millinery. Consequently, when spring opened, I es-

tablished myself in a house just across the street from Mr. Abrahams' store, he buying me a nice little stock of goods. Here for two years I plodded along, working early and late, and getting ahead pecuniarily much faster than I had ever yet done. I had saved my earnings, with which I had bought my home there, and had a good start, and a growing business, with plenty to eat, drink and wear.

My front yard, 12x20, was a gorgeous glory of color, and my beautiful flowers were the admiration of all the passers-by, while my back yard supplied an abundance of vegetables.

My boy was in school, and with the respect of the community, added, why was I not happy? I was. Work brought its own pleasure, and sweet rewards. Five a. m. never found me in bed, though often did I awake at two a. m. in my chair, with my work still in my hand. But the young are soon rested, and as a change of work gives rest and health, I was blest with both. I had a time and place for everything, and I have found adherence to this rule throughout my life to be one of the greatest aids to success in any pursuit.

It was also then, as it still is, my habit to plan today for tomorrow. And now I am going over my past life, step by step, gleaning here and there what I hope may be of service to those who come after me, knowing full well how undesirable and seemingly impossible such a life will seem to the youth of today, yet believing its lessons ought to be of use to them in this age of teeming wealth, and lavish expenditure, surrounded and protected as they are from all the hardships of frontier life, with the fountains of knowledge flowing free for them to drink, "without money and without price."

No more is it necessary for the student to pore over the old, thumb-worn book, by the light of a pitch stick, or a tow-string in a broken mug of refuse kitchen grease;—and yet those times and methods produced from and for this nation a Franklin, a Jefferson, a Greeley, a Clay, a Webster, and a Lincoln, and a host of others of less transcendent fame, but who possessed the sterling qualities of intelligent, incorruptible citizenship, and who rendered an incalculable aggregate of invaluable service to their country, and whom, if the youth of this generation equal they will do well.

The very conquering of the apparently insurmountable obstacles to their progress by these illustrious citizens of our great

Republic but added strength and luster to their character and proved their worth, as does the emery the steel.

The results of the methods of the past are before us, and command our highest admiration. Time will tell whether those of the present will prove a blessing or a curse to our beloved land.

As I have already said, I had had two years of uninterrupted success in my millinery and dressmaking business in Roseburg. The town had steadily grown, and now a new milliner made her advent. She moved in next door to me, and came right in, and looked me over, stock and all, also getting all the information I could give her. She told me incidentally that she had been a milliner for years; that she had learned the trade, and understood it thoroughly, and had come there to begin business, and intended to remain.

I was soon made to feel her power. She laughed at, and ridiculed my pretensions, saying that mine was only a "picked-up" business, and that I did not know the first principles of the trade.

"She knew how to bleach and whiten all kinds of leghorn and white straws; she could renew and make over all shapes and kinds of hats; she could also make hat-blocks, on which to press and shape hats, and make new frames," all of which was Greek to me, practically speaking. She came late in the fall, and her husband went, with his team, throughout the country, gathering up all the old hats, and advertising his wife's superior work as a milliner.

All this was not only humiliating to me personally, but was a severe blow to my business. I was at my wits' end to know what to do, and how to do it. One beautiful day I sat thinking the matter over while eating my dinner at the table in front of a window which overlooked my new neighbor's kitchen door. I had seen her husband drive past the evening before, and unload several open boxes filled with old hats, and that day they were getting ready for cleaning, bleaching, and pressing.

They set a table out in the sun, and placed upon it two plaster of paris hat-blocks. Then the work began, not twenty feet from me. My house was above them, so that they could not see me, but I could not only see them, but could hear every word they said.

For more than an hour I sat there, and in that brief time I learned the art of cleaning, stiffening, fitting, bleaching, and pressing hats.

Oh, what a revelation it was to me! My heart was beating fast, and I felt that I had never learned so much in any one hour of my life before. I saw how easily it was all done, and how much profit there was in it.

The new hats that year were very, very small ("pancakes"), and some of those old-fashioned hats would make three of them. Certainly two new ones could be made from each of most of the old ones. Of course, the remnants would be considered useless by the owners, and were turned to profit by the expert milliner.

I now knew that if I could get the blocks I could do the work, so I stepped down to the new milliner's shop, and asked her how much she would charge to make me two blocks.

She said: "Thirty dollars."

I said: "I will think it over. I did not expect them to be so high."

"You don't expect me to give away my business, do you?" she asked. Then, smiling, she added, "Can you press hats?"

I passed out, and as the door closed, I heard them laughing at my expense. This roused me almost to desperation, and I said to myself, "The day will come when I will show you that I can not only press hats, but do several other things; and first of all, I will find out how to make hat-blocks."

I now remembered a book I possessed, entitled, "Inquire Within." From this I learned how to mix plaster of paris for molds, and this gave me a foundation on which to experiment. I had the buckram frame, like those two new blocks of Mrs. —, and I knew they must have made and shaped their blocks by the use of those frames, so I bought 50 cents' worth of plaster of paris at the drug-store, and set to work. My first attempt was a failure, but it proved to me that I was on the right road. I was in such a state of anxiety and excitement that I slept little that night.

As soon as the stores were open in the morning, I purchased a dollar's worth of plaster of paris. During that anxious, wakeful night, I had gone over the ground thoroughly in my mind, and was confident of success; and succeed I did.

Words failed to express my triumphant joy that in less than twenty-four hours, I had obtained, and now held, the key to that mysterious knowledge whose wonderful results had charmed away my customers.

I began at once to put my freshly acquired knowledge into practice, resolving not to let a soul know how it was obtained.

That same evening a lady called, bringing an old white leg-horn hat.

"I want one of those little 'pancake' hats made from this, she said. "It has to be bleached and pressed, you know. Can you make it over?"

"Certainly, I can," I answered.

"Oh, I am so glad! Mrs. ——— said I would just have to take it to the new milliner, but I said I wasn't going to throw off on you; I'd come here first, anyway. Now we'll pick out the trimming. Oh, you haven't any of that beautiful lace bugle fringe, have you? I must have that for the rim, it is so stylish, now. Mrs. ——— has it; would you mind getting it there?"

"Oh, no, not at all," I said.

So, when the hat was cleaned, bleached, stiffened and pressed, and trimmed, all but the bugle lace, I wrapped it carefully, and with the package in my hand, I walked into the store of my rival with the pride of a full-grown peacock.

Laying my parcel on the counter, and lifting a freshly-pressed straw braid hat of the same style as mine from the block which she kept there as an advertisement, I asked:

"How much of that bugle fringe does it take to go around this hat?"

"Three-quarters of a yard; price, \$1.00 a yard," was her reply.

I laid down seventy-five cents, and said I would take three-quarters of a yard. As she was measuring it off, I said:

"Please put a pin in there, till I see if it will be enough," unwrapping my hat, and measuring around it with the lace, as I finished speaking. Finding it sufficient, I clipped it off with my belt scissors and dropped it into my hat before she could object, had she desired.

"Whose hat is that?" she asked.

"It is one I have just made over for one of my customers," I replied.

"Who pressed it?"

"I did."

"Who made the block?"

"I made it myself," I answered, and passed out. I heard no laughing behind me this time. Surely this was gratification enough for one day. She now knew that I was in possession of her secrets, but how I had learned them she never knew.

As has been said, I set about putting my newly acquired

knowledge into practical use. Going about among the stores, I bought up all their old, out-of-date, unsalable millinery, for almost nothing, and began at once to prepare it for future use, knowing that the fall styles in straws would be in demand in the spring, and that, in this way, with a small stock from San Francisco, I could make a good showing; which I did. But, though my goods were in every way equal to those of my rival, the customers passed me by, and bought of her. She managed to checkmate me at every turn.

Thus the summer and autumn wore away, and left me stranded, but not conquered. My time had not all been lost, however, and I knew that I had gained much that would be of service to me in the future.

I had surmounted other formidable difficulties, and I would yet wring a victory out of this defeat. For one thing, I had learned more of average human nature during that year than I had in all my previous life, and I saw that I must convince that community that I was not a pretender, but was, in reality, mistress of my business; and that could not be accomplished alone by the skillful making over of old hats and bonnets.

Therefore, in November, 1867, leaving my boy in charge of a minister and his wife, who occupied my little home; and borrowing \$250, I left for San Francisco.

I had previously announced in both the Roseburg papers that I should spend the winter in the best millinery establishment in San Francisco, with the purpose of perfecting myself in the business, and would return in the spring, bringing with me all the latest and most attractive millinery. This I carried out to the letter.

Bearing letters of recommendation from two of the principal merchants of Roseburg who dealt with Madame Fouts, I was kindly received by her, and given every advantage. For three months I sat beside her head-trimmer, where I could see and hear everything. Those three months in San Francisco were worth more to me than ten years of such opportunities as I had hitherto had. Madame took me to the wholesale houses, and showed me how to purchase goods, and especially how to select odd lots of nice, but out of date materials, and how to convert these into new and attractive styles. I saw her daily selling hats which had not cost her over fifty cents, for from four to six dollars. Meantime, I worked only on my own goods, and when spring came, I had a lovely stock secured with very little expense. I wrote home order-

ing a show-window put into the front of my little store,—almost the first show-window in that town. I also had printed announcements struck off, and sent on ahead to all of my patrons, and to be posted, stating the day I had fixed for my grand opening.

I reached home a week or ten days beforehand, and had everything in complete and elegant readiness at the appointed time.

I now felt equal to the situation, and was mistress of my art, a fact which I used to the best possible advantage.

The profits from the sales of that year amounted to \$1,500, and the business continued to increase as long as I conducted it.

In 1870, I placed my son in the University of California, at Berkeley. I had always had a fondness for nursing, and had developed such a special capacity in that direction by assisting my neighbors in illness, that I was more and more besieged by the entreaties of my friends and doctors, which were hard to refuse, to come to their aid in sickness, often-times to the detriment of business, and now that money came easily, a desire began to grow within me for a medical education. One evening I was sent for by a friend with a very sick child. The old physician in my presence attempted to use an instrument for the relief of the little sufferer, and, in his long, bungling, and unsuccessful attempt, he severely lacerated the tender flesh of the poor little girl. At last, he laid down the instrument to wipe his glasses. I picked it up, saying, "Let me try, Doctor," and passed it instantly, with perfect ease, bringing immediate relief to the tortured child. The mother, who was standing by in agony at the sight of her child's mutilation, threw her arms around my neck, and sobbed out her thanks. Not so the doctor! He did not appreciate or approve of my interference, and he showed his displeasure at the time most emphatically. This apparently unimportant incident really decided my future course.

A few days later, I called on my friend, Dr. Hamilton, and confiding to him my plans and ambitions, I asked for the loan of medical books. He gave me Gray's Anatomy. I came out of his private office into the drug-store, where I saw Hon. S. F. Chadwick, who had heard the conversation, and who came promptly forward and shook my hand warmly, saying: "Go ahead. It is in you; let it come out. You will win."

The Hon. Jesse Applegate, my dear and revered friend, who

had fondled me as a babe, was the one other person who ever gave me a single word of encouragement to study medicine.

Realizing that I should meet opposition, especially from my own family, I kept my counsel.

I now began in good earnest to arrange my business affairs so that I could leave for the East in one year from that time, meantime studying diligently to familiarize myself with the science of anatomy, the groundwork of my chosen profession. Later, I took Mrs. Duniway, of Portland, editor and proprietor of *The New Northwest*, into my confidence, and arranged with her to take my boy into her family, and give him work on her paper.

I also wrote to my old friend, Mrs. W. L. Adams, of Portland, and asked her to take a motherly interest in my boy. She responded promptly, saying:

"My husband, Dr. Adams, is in Philadelphia, partly for study, and partly for his health. Why not go there? He could be of great help to you, and it would be a relief to me to know that you were near in case of sickness. You can trust me to look after the welfare of your boy."

This letter was a genuine comfort to me, and I decided to accept her advice. In due time, I announced that in two weeks I would leave for Philadelphia, to enter a medical school. As I have said, I expected disapproval from my friends and relatives, but I was not prepared for the storm of opposition that followed. My family felt that they were disgraced, and even my own child was influenced and encouraged to think that I was doing him an irreparable injury, by my course. People sneered and laughed derisively. Most of my friends seemed to consider it their Christian duty to advise against, and endeavor to prevent me taking this "fatal" step. That crucial fortnight was a period in my life never to be forgotten. I was literally kept on the rack. But as all things must have an end, the day of my departure was at last at hand.

My son had gone to Portland, and my family had given me up in despair. My business, all in good shape, was entrusted to a younger sister, who had been with me for the past year or more.

On that last afternoon, two friends, Mesdames Sheridan and Champaign, called to say good-bye. Mrs. C. said:

"Well, this beats all! I always did think you were a smart woman, but you must have lost your senses, and gone stark crazy



to leave such a business as you have, and run off on such a 'wild goose chase' as this."

I smiled and said: "You will change your mind when I come back a physician, and charge you more than I ever have for your hats and bonnets."

Her answer came quick and sharp: "Not much! You are a good milliner, but I'll never let a woman doctor about me!"

Choking back the tears with a desperate effort, I calmly answered:

"Time will tell. People have been known to change their minds."

As a matter of fact, both these ladies did, in after years, call upon me for professional services many times, and we laughed together on recalling that conversation in Roseburg.

Eleven o'clock p. m. arrived at last, and I found myself seated in the California overland stage, beginning my long journey across the continent. It was a dark and stormy night, and I was the only inside passenger. There was no one to divert my thoughts from myself, or prevent the full realization of the dreary and desolate sense that I was starting out into an untried world alone, with only my own unaided resources to carry me through. The full moment of what I had undertaken now rose before me, and all I had left behind tugged at my heart-strings. My crushed and over-wrought soul cried out for sympathy, and forced me to give vent to my pent-up feelings in a flood of tears, while the stage floundered on through mud and slush, and the rain came down in torrents, as if sympathizing Nature were weeping a fitting accompaniment to my lonely, sorrowful mood.

And now I had ample opportunity to reason and reflect. I remembered that every great trouble of my life had proved a blessing in disguise, and had brought me renewed strength and courage.

"For so tenderly our sorrows hold the germs of future joys,  
That even a disappointment brings us more than it destroys."

I had taken the decisive step, and I would never turn back. Those cheering words of my faithful attorney, Hon. S. F. Chadwick, who had so ably defended my divorce case, came back to me then as a sweet solace to my wounded spirit: "Go ahead. It is in you; let it come out. You will win!"

How many, many times have those inspiring words cheered me on through the dark hours of life.

They have helped me through countless difficulties, and knotty problems, which have since confronted me. Let us never forget or neglect to speak an encouraging word when we can. It costs us so little, and is worth so much to the recipient.

I strongly resolved that if there was anything in me, it should come out, and that, come what might, I would succeed.

We are told that when the decision is made, the battle is half won.

My decision was now irrevocably made, and I was comforted.

Stage travel was no hardship to me, for, like the sailor on his ship, I felt at home in the stage. For several years I had gone to San Francisco spring and fall by land, when the nearest railroad connection was at Marysville, Cal. At that time Colonel Hooker, to whom Hon. Jesse Applegate refers in his letter, was superintendent of the stage line.

During the last three years I have given much thought to woman suffrage and temperance, and had written a number of articles for the Roseburg papers, and for The New Northwest, on these subjects. I had given much time and labor to temperance work, and had served in the highest office of the I. O. G. T.

On reaching Philadelphia, I matriculated in the Eclectic School of Medicine, and employed a private tutor. I also attended the lectures and clinics in the great Blockly Hospital twice a week, as did all the medical students of the city. In due time, I received my degree, and returned to Roseburg to wind up my business, which I had left in charge of my sister. A few days after my return, an old man without friends died, and the six physicians who had all attended him at various times, decided to hold an autopsy. At their meeting, Dr. Palmer, who had not forgotten my former "impudence" in using his instrument, made a motion to invite the new "Philadelphia" doctor to be present. This was carried, and a messenger was dispatched to me with a written invitation. I knew this meant no honor for me, but I said: "Give the doctors my compliments, and say that I will be there in a few minutes." The messenger left, and I followed close behind him. I waited outside until he went in and closed the door. I heard him say, in excited tones:

"She said to give you her compliments, and that she'd be here in a minute." Then came a roar of laughter, after which I quietly

opened the door and walked in, went forward, and shook hands with Dr. Hoover, who advanced to meet me saying:

"Do you know that the autopsy is on the genital organs?"

"No," I answered; "but one part of the human body should be as sacred to the physician as another."

Dr. Palmer here stepped back, saying: "I object to a woman being present at a male autopsy, and if she is allowed to remain, I shall retire!"

"I came here by written invitation," I said; "and I will leave it to a vote whether I go or stay; but first, I would like to ask Dr. Palmer what is the difference between the attendance of a woman at a male autopsy, and the attendance of a man at a female autopsy?"

Dr. Hoover said: "Well, I voted for you to come, and I will stick to it." Another said: "I voted yes, and I'll not go back on it."

Two more said the same, making a majority of the six. Dr. Hamilton then said: "I did not vote, but I have no objection," thus leaving Dr. Palmer only, who said: "Then I will retire," which he did amid the cheers and laughter of forty or fifty men and boys in and outside the old shed, where the corpse lay on a board, supported by two sawbucks, and covered with a worn gray blanket. They were there to see and hear all that was to be seen and done.

One of the doctors opened an old medicine case, and offered it to me.

"You don't want me to do the work, do you?" I asked, in surprise.

"Oh, yes, yes, go ahead," he said. I took the case and complied. The news of what was going on had spread to every house in town, and the excitement was at fever-heat.

When I had at last finished the dissection, the audience (not the doctors) gave me three cheers. As I passed out and down on my way home, the street was lined on both sides with men, women and children, all anxious to get a look at "the woman who dared," to see what sort of a strange, anomalous being she was. The women were shocked and scandalized! The men were disgusted, but amused, thinking it "such a good joke on the doctors."

When I moved to North Yakima, Wash., in 1899, a Mrs.

Thomas Redfield called on me, and we were soon fast friends. At our first meeting she said:

"Of course, you don't remember me, but I remember well the first time I ever saw you."

"Where was it?" I asked.

"Well," laughed she, "it was when I was a young girl, and we lived in Roseburg. I was on the street with the rest of the crowd to see you, when you came out of that old shed where the doctors were holding the autopsy on that old man."

"And what did you think of me then?"

"Oh, of course, I thought you were a terrible woman! It was simply dreadful the way those people did go on at that time. Isn't it wonderful what a change has taken place since then?"

"Yes," I answered. "I suppose they felt like applying a coat of tar and feathers to me then; and it is a wonder they did not."

"Yes; I think they did."

And now, as I look back, I believe that all that saved me was the fact that my brothers, Flem and Josiah, lived there, and, although they disapproved of my actions quite as much as the rest of the community did, yet "blood is thicker than water," and they would have died in their tracks before they would have seen me subjected to indignities, or driven out of town. And as everybody knew they would shoot at the drop of a hat, good care was taken to lay no violent hands on me.

I did not stop to think, at the time, neither did I pause to consider what the consequences might be; I was prompted by my natural disposition to resent an insult, which I knew was intended.

As soon as possible after that autopsy, I closed up my business, and, taking my sister, and the remnant of my store goods, I removed to Portland, Oregon.

I frankly admit I breathed more freely after I had bidden adieu to my family and few remaining friends, and was on board the train. I well knew that it was a relief, even to my own folks, to have me go, for it did seem as if I were only a "thorn in the flesh" to them then.

## CHAPTER VII.

I first occupied the ground-floor of a two-story brick building on the east side of First street, between Taylor and Yamhill. There were no brick buildings in Portland south of there at that time. I had two rooms fitted up for electrical and medicated baths. This was a new process of treatment, and it, in connection with my other practice, proved both attractive and remunerative. I obtained the knowledge in a New York institution, which had been open but a short time.

There was but one man, a German, in Portland who seemed to have any knowledge of electrical batteries, and he found much trouble in keeping my batteries in running order.

I was now well settled, and, notwithstanding occasional rebuffs here and there, and frequent slights from my brother M. D.'s, I went steadily on, gaining a step here, and a point there, and constantly advancing, with money coming in faster and faster.

My son George was now nineteen, and I entered him in the Medical Department of the Willamette University. It was certainly one of the proudest days of my life when he was graduated from it, two years later. From the beginning, I had set my heart on making a physician of him, and at last my life's ambition was crowned with success.

One morning, on returning from my round of professional visits, I found a woman lying on a couch in my office, with her husband and two neighbors beside her. She was suffering from double pneumonia, and when I first saw her I did not think she could live till night. They had brought her fifteen miles in an open wagon to Vancouver, and from there to Portland by boat. She had been sick for a year or two, and they had brought her for the baths, not knowing that her sudden change for the worse was due to pneumonia. They were very poor. Before she died, she begged me to take one of her three little girls, which I promised to do; and a few days later, her husband brought me the eldest, but smallest, of the three sisters. She was a puny, sickly looking little creature, and as she stood beside her father, who was also undersized, in her old, faded calico dress, up to her knees, her stockings tied up with strings, her shoes out at the toes, and holding a bundle done up in an old red cotton handkerchief,

with a scared look on her pinched little face, the pair made a forlorn picture that stamped itself indelibly on my memory.

Taking the child by the hand, I said: "So this is my little girl? Come with me. This is your home, now." To her father: "When do you return home?"

"In a few hours," was the reply; "I want to get home, as the other children are alone on the farm."

"Then come in again before you go; I want to send some little presents to Mattie's brothers and sisters." Then I led Mattie to my back office, and gave her into the hands of the woman who assisted in the baths, telling her to give her a good bath. I found waiting to say good-bye, a Homeopathic doctor, who said, as Mattie passed through the door: "What on earth are you going to do with that child?"

"Oh, she is mine, now. Her mother gave her to me on her death-bed."

"Well, if I took a child, I would find a better looking one than that," she exclaimed.

"Oh, well," I rejoined, "you know 'beauty is only skin deep,' and 'fine feathers make fine birds,' so some and go with me to select some feathers for my bird."

On returning home, I found Mattie clean, and with her hair neatly combed, and she was soon dressed throughout in nice, new clothing, with a blue ribbon tied in her sun-burned hair. Her father soon returned, and I sent back with him all he had brought, excepting Mattie herself, together with a supply of cakes, nuts, and candy for Mattie's brother and sisters at home.

Two years later, this same Doctor called one evening, and said: "What did you ever do with that little girl you took when I was here last?"

Mattie was sitting at the desk, busy with her lessons, for she had now been two years in the public schools.

"Come here, Mattie," I said, and she came and stood at my side.

The Doctor looked her over. "You don't tell me that this is the 'ornery' little thing you brought in here two years ago?" Mattie's face crimsoned, and her lip quivered. I put my arm around her waist, and drew her to me.

"Indeed," I said. "This is my own good Mattie Bell. She is sweet sixteen, now, and she is above my ears, and she will soon be above my head."

Time passed on. I was successful and prosperous, but not yet satisfied.

Again I was beginning to pine for more knowledge.

My sister asked for a course in Mills College, which I gave her. My son had his profession. "I have done my duty to those depending on me," I thought, "and now I will treat myself to a full medical course in the old school, and a trip to Europe. I shall then be equipped for business on an advanced scale."

I set about putting these plans into practice by establishing my son in the drug business in Goldendale, Wash. Then, after closing out everything, including some Roseburg property, I found myself in the possession of the sum of \$8,000,—sufficient for all my needs.

Again my family and friends objected. They said: "You will soon be rich; why spend all you have for nothing?"

Strange to say, my old and honored friend, Jesse Applegate, now added his protest, also, and came from his home to Portland to plead with me. He said: "You have a good foundation; close application will increase your knowledge and power. You can make of yourself what you will. You can do this; and at the same time increase, instead of spending your wealth, and remember, my friend, that wealth is power."

But I was deaf to all entreaties;—a better education I must and would have, and the best way to secure it was to go to the fountain-head. This was my argument and belief. I had not forgotten my first San Francisco millinery trip, when I had to borrow the money for my expenses. The money for my present trip was not borrowed, and it had come to me through that decision and venture.

My mind was made up, and, like the gambler who has won once, I would risk all at one throw again; and so, on September 1st, 1878, on a bright, sunny day, I left Portland, again en route for Philadelphia; not this time with a storm without and within, but surrounded with sunshine, and followed by the good wishes of many friends.

It was my intention, if possible, to gain admission to the then renowned Jefferson Medical College.

Armed with letters from U. S. Senators, Governors, Professors, and Doctors, on reaching Philadelphia, I at once called upon, and was entertained by Dr. Hannah Longshore, one of the first graduates of the Woman's Medical School of Philadelphia, and

sister of Professor Longshore, founder of and professor in the Eclectic Medical School of Philadelphia for men and women.

I told her plainly just what I desired.

"I have no faith that you can get into Jefferson College," she said, "but I want to see you try it. I believe the time will come when the doors of every medical school in our land will be forced to open for women, as do the Eclectic and Homeopathic schools now. But the old schools, as you know, do not recognize them. If there is any man today who can open the doors of Jefferson College to women, it is Professor Gross."

"This is Saturday," I said, "and I will go at once to see him."

He received me with a gracious smile, requesting me to be seated, as I handed him the envelope containing my credentials.

While he was looking over the letters with a pleased expression on his fine face, I could scarcely realize that I was in the presence of the then greatest surgeon in the United States.

His slender, delicate hands were not suggestive of blood-letting.

I was lost in contemplation of this grand man, when he broke my reverie by saying, with the gentlest voice and manner:

"And now, my little lady, what can I do for you?"

"I have come to this grand old city in search of knowledge," I answered. "I hunger and thirst after it. I want to drink at the fountain-head. Can you not lead me into Jefferson College,—you, her greatest professor?"

He gazed at me with moist and sympathetic eyes for an instant. Then, in the gentlest, softest tones, he said:

"My dear little woman, how gladly I would open the doors of Jefferson to you; but that privilege is denied to me. The deciding power lies in the hands of the board of regents, and they are a whole age behind the times. They would simply be shocked, scandalized, and enraged at the mere mention of admitting a woman into Jefferson College. Why not go to the Woman's College? It is just as good. The examinations required to be passed are identically the same."

"I know that, Professor Gross," I responded; "but a Woman's College out West stands below par, and I must have a degree that is second to none."

"Then the University of Michigan is the school for you," he said. "It is a long-term school, and a mixed school, and it is second to none in America."



"Thanks, Professor, a thousand thanks!" I gratefully exclaimed; "I will follow your advice, and go there at once."

"Why not remain another day, and breakfast with me?" he asked; "I should be pleased to extend the courtesy, and to know you better."

But, on consulting the University Announcements, we found that I had not a day to spare, and I therefore bade my new-found friend farewell, and with his blessing, started at once for Ann Arbor.

Arriving there, I was soon settled, and in my seat for the opening lecture, on the next day but one. During the ensuing nine months, I averaged sixteen hours a day in attending lectures, in hard study, and in all the exercises required in the course, after which I put in ten hours a day (excepting Sundays) in study during the vacation. Most of this time was given to Professor Ford's Question-Book. It was a book of questions without answers, on anatomy. Anatomy has always been the bug-bear of medical students.

I procured a blank book, and commencing at the beginning, I numbered each question, then looked up each answer, and wrote it out in full in my blank book. This book covered the anatomy, from beginning to end, and it was completed, with the exception of a few answers which I could not find.

At the opening of the next term, I took my book to Professor Ford for the correct answers to these, that I might fill in the blanks. Professor Ford took the book, and examined it carefully, and then said:

"You have done that which no other student in this University has ever done before, and more than I have expected one to do; and you have done it while the others have been enjoying a vacation. I shall not forget this. It will be of the highest value to you in the saving of time, and the fixing of these all-important facts in your memory."

It was my custom to rise at four a. m., take a cold bath, followed by vigorous exercise; then study till breakfast, at seven. (I allowed myself half an hour for each meal.)

After supper came "Quizzes," and then study till nine p. m., when I retired, to sleep soundly.

Between lectures, clinics, laboratory work, Quizzes, examinations, two good sermons on Sunday, and a church social now and then, the time was fully and pleasantly occupied. The constant

change brought rest, and acted as a safety-valve to our overheated brains.

At the close of the second year, in June, 1880, I received my degree. During all that time, I had not suffered from a day's sickness, and had been present at every class lecture save one, my absence from it being due to my having been so deeply absorbed in my studies that I failed to hear the bell. This lapse almost broke my heart, which had been set on being able to say, at the end of the course, that I had not missed a single lecture.

Commencement was an important event at this, as in all Universities. It has been my habit, since the beginning of my correspondence, over forty-five years ago, to preserve all letters of interest or importance, and also to keep in a blank book a copy of my answers to many such. Hence I have a great mass of material from which to select in compiling this volume, and from which could be drawn matter to fill many larger books than the present. The following is an extract from a letter thus preserved:

Ann Arbor.

The past week has been one of unusual excitement in this great University of learning, comprising 3,000 students, but now all that has passed, and such a quiet and stillness prevails that it reminds me of the grave.

The commencement exercises were splendid, in the extreme. Would that my pen had power to adequately paint the scene. The spacious, and perfectly-kept University grounds were resplendent in a full and glorious summer dress of green illuminated gorgeously with the crimson blue and gold of masses of flowers of every hue, whose intoxicating fragrance was gathered, mingled, and wafted by the soft breezes to the charmed nostrils of the enchanted, happy and hopeful throngs of manhood and womanhood who were so rarely privileged as to be present. Add to all this, thousands of waving banners and flags, the fluttering of countless colored badges, the sweet and thrilling strains of music furnished by three brass bands, and the gaily attired students, marching and counter-marching, preparatory to forming into line for the final grand march into University Hall, and you have a picture beyond words to fittingly present, and one so deeply and brightly stamped on my memory that it can never be effaced.

Each department entered, and was seated according to the time it became a part of the institution.

The immense hall was packed with humanity, and every available space was filled with flowers.

First, the band discoursed rare music.

President Angell then delivered his farewell address; after which came the presentation of the diplomas.

In the evening followed the faculties' grand reception, the most brilliant feature of all. The superb old hall was hung with rare and costly paintings, entwined with the Stars and Stripes. The sweetest strains of music blended with the fragrance of hot-house blossoms, charmed every finer sense, and gave a seeming foretaste of Heaven.

Wealth and beauty, in all their splendor, were there. Gorgeous trains and soft laces swept the polished floor. Tinted cheeks, and lips, sparkling eyes, and rounded arms and shoulders or rosy ivory, glowed with animation, while, with shaking of hands, joyous greetings, and enthusiastic congratulations, all "went merry as a marriage bell."

Alumni meetings followed, and the festivities were closed by the President's reception to the graduates.

After graduating, having arranged for three years' absence from home, I went with one of my classmates to Chicago. Taking rooms, we devoted ourselves to hospital and clinical work.

While there, my son, Dr. Hill, joined me, and the first of October found us back at the University, where Dr. Hill entered for a post course, while I remained as a resident physician, which entitled me to all lectures. I attended all the advanced lectures in my department, theory and practice in the Homeopathic School, and English literature and history in the Literary Department.

At the end of six months, with my son and two lady physicians, I sailed for Europe. We visited Glasgow, Hamburg, Berlin, Potsdam, Munich, Dresden, Paris, London, and other cities.

While in Munich, we were one day being conducted through the great buildings where masterpieces of castings and mouldings were on exhibition, when the guide opened a door and ushered us into a large, circular room known as "The American Department."

The central figure was a heroic statue of Washington, on his great white charger, carrying the flag of his country. Around

him were grouped the signers of the Declaration of Independence, and there, also, was the statuary representing our martyred Lincoln, striking off the fetters from the limbs of the black man. That sight, so beautiful, so real, so moving, was enough to stir the blood of the coldest American! For weeks,—it seemed months,—we had not seen "Old Glory," and now here it burst on our view, floating over the images of all we held nearest and dearest on earth; It was too much for my impulsive nature. Forgetting time and place, and oblivious to all around me, I rushed forward, fell on my knees at the feet of the Father of his Country, and gave vent to my pent-up feelings of joy, in exclamations of "Oh, my country, my country! My flag, my flag!"

I was brought suddenly to my senses by the warning voice of Dr. Hill:

"Mother, mother! These people cannot understand a word of English; They will think you are crazy, and there is no telling what trouble you will get us into!"

I sprang to my feet, and looked behind me, expecting to see the gens d'arms coming to take charge of me, but, instead, I saw a picture that I never can forget. The door was filled with broadly smiling faces, showing more plainly than words could do that they thoroughly understood the situation, and heartily sympathized with the loyal "Americaine."

As our party passed out, they further showed their appreciation and approval by profuse smiles and bows; thus showing that the love of one's native land is "the touch of Nature that makes the whole world kin."

Arrived outside, Dr. Hill said: "Well, I never did see anything like it! Mother is always getting into scrapes; but somehow she always comes out on top."

Dr. Hill now became homesick, and declared he would rather see his Western sweetheart than all the cities in the world, so I gave him his return ticket, and \$500 in money, and he lost no time in going back to Goldendale and getting married.

The two Doctors and I continued our journey through Austria, Prussia, France, Scotland and England. In all the large cities, we visited the hospitals, and saw many of the world's greatest surgeons operate. My letters with state seals always secured us open doors, and invitations to enter. On reaching London, I found a letter from my dear friend, now Mrs. Lillie Glenn O'Neil, urging me to come to her in July. This request from my dear

Lillie (who always called me mother), the only and petted child of my old and honored friend, Dr. J. G. Glenn, now deceased, I could not refuse, and so, bidding my two classmates adieu, I started for Portland, Oregon.

When I landed at New York, the Customs Collector demanded \$75 duty on my instruments, which I had purchased in Paris. I said: "These instruments are for my own use. I am a physician. Here is a letter from the President of the University of Michigan, and letters from U. S. Senators, Governors, etc. I know you have no right to collect duty on my instruments, and if you take my goods, I will employ an attorney."

"You stay right here," he said, "till I come back, and you'll find you will have to pay the duty." After two hours he returned, and said: "Take your things, and go on."

I speedily obeyed, glad to get out of his clutches. In a few hours my ticket to San Francisco was secured and I was en route thither.

In those days the steamer's passenger list was telegraphed ahead from San Francisco. On reaching the Portland wharf, I found a messenger with a carriage waiting to take me to the bedside of a patient. This was surely an auspicious beginning, and I felt more elated, for I was delighted to get home, and anxious to be at work. My purse was greatly depleted, only \$200 remaining of the \$8,000 with which I had left home, three years before.

Within twenty-four hours I had secured nice rooms over the drug-store of my old and good friend, Dr. O. P. S. Plummer, and I lost no time in getting them fitted up, and ready for patients, who came, and continued to come, in increasing numbers.

A week or two after I was settled, Col. McC. called, and said: "I am glad to welcome you back, and I thought I would take a few of your electrical medical baths. I have not really had an attack of rheumatism since that terrible time I had before, but I thought I had better take a few as a preventive."

I laughed, saying: "I have no baths, and never expect to have again."

"Really; you have not lost faith in them, have you?"

"Oh, no, I fully realize their worth; but you see, Colonel, I am now a full-fledged University physician of the old school, and I cannot afford to attach to myself the odium of the epithet, 'Bath Doctor.' One dollar and a half was considered a large

price for those baths, by some of my customers, but no one expects to get a prescription for less than \$2.00. Oh, no, I expect to carry my stock in trade in my head from this time on."

My friends, and my enemies, as well,—if they of the old slights and disapproval could be so called,—came to pay their respects, and many to receive my professional services; and from no place did I receive so much consideration and patronage as from Roseburg, my former home.

I often jokingly remarked: "I wonder, as I look back now, that I was not tarred and feathered after that autopsy affair: I can assure you it was no laughing matter then to break through the customs, prejudices and established rules of a new country, which is always a risky undertaking, especially if it is done by a woman, whose position is so sharply defined. Only a few years before that date, the students of Jefferson Medical College publicly "rotten-egged" the woman students, as they were leaving Blockly Hospital.

Soon after I was established, a doctor called whom I had known for many years, saying:

"I cannot succeed in Portland, and am going to make a change, and sell my belongings at auction. Come and look over what I have, and take what you want. I have many things you need that I do not wish to take,—and come to the sale."

"Why, Doctor," I said, "I have just come home, and have spent all my money."

"No matter. You can have anything or all I have for sale, without a dollar. You will have money soon enough."

"But I do not know that."

"I do. I only wish I was sure of making half as much. Before six months you will be taking in \$600 a month."

I was astounded, for I knew he was in earnest; and yet his prophecy did come true. I had for so many years been clinging to the slippery ladder, struggling and fighting for my very existence, making headway surely, but so slowly, that I could not realize how much was now within my reach. But I knew it soon. Hundreds of incidents might be recorded to indicate my success during the next three years, and the unbounded satisfaction and happiness it brought me. One morning a woman, pale and trembling, came into my office, and said:

"I have been sick for many years, and the doctors say I cannot be cured. I have heard so much about you, that I have come

to see if you cannot give me relief. We have paid out nearly all we have to doctors, and I know that if you cannot help me, you will say so."

Whom should this invalid be but my old Roseburg rival in the millinery business? I gave her a warm and cordial reception, saying: "I earnestly hope I may be able to help you."

After making a thorough examination of her case, which was one of ulceration of the bladder, I said: "I can help you. I will treat you for a few weeks, and will then teach you how to treat yourself, and if you will follow my advice and directions, I have faith that your health will be restored."

With tears of hope and gratitude, she said: "No one can or will be more faithful and obedient than I will be. When shall I come again?"

"You are not able to come to the office now."

"But it is so far out to my son's where I am staying, and we are so poor."

"That makes no difference; and don't you worry about my bill. I will take you home in my carriage, and will go to your son's every day and treat you until you are able to return home."

"Oh, you are heaping coals of fire on my head by all this kindness!" she exclaimed. "But I do want to tell you now that I always did have the greatest respect for you."

"Now, I do not look at it in that way," said I. "If you had not gone out to Roseburg, and goaded me on, by showing me how little I really knew about millinery, I might have been out there yet, making poor hats and bonnets. But you proved the truth of what a friend once said to me: 'If I wished to increase your height two and a half inches, I would attempt to press you down, and you would grow upward from sheer resentment.' So now, you see, my dear friend, that you have all along been my good angel in disguise. I owe you a great debt of gratitude, and I intend to repay it, with interest."

And I did, for her health was restored, and, from that hour, arose a friendship between us which lasted till her death. Only three years ago we exchanged photographs.

During 1878, before leaving for the East, I provided a home in Forest Grove for Mattie, where she could continue her studies. On my return she hastened to Portland to see her foster mother. She was now twenty and full-grown.

"Well, Mattie," I said, "I thought you might be married by

this time. Haven't you found a sweetheart?" I playfully asked her.

"No, I haven't; and I don't want one. I want to come and live with you."

"And what do you want to do? Would you like to be a doctor?"

"I will do anything you want me to do, and think I can do."

"Then go back and get your things. I will be settled and ready for you in a few days; and then I will make a doctor of you."

She was soon with me, my dear, good Mattie Belle. Had I had a hundred children, I am sure none could have been more faithful, or loved me better. She was always a sunbeam, not only in my heart, but in my home, as well. She graduated in medicine, but never left me till death claimed her, in 1893.

Thus passed three of the happiest and most prosperous years of my life. Health, hosts of friends, and unbroken prosperity; what more could I ask, or desire?

When asked, as I often was, why I did not marry, I always responded: "I am married. I am married to my profession,"—and I was honest in that belief.

But the time came which is said to come to all, when I was ready and willing to add another name to mine, and it came about in this way: Oregon was about to vote on the Woman Suffrage Amendment. On an April morning I saw C. W. Fulton's name in the list of arrivals from Astoria, and, knowing that he was a friend of the cause, I drove directly to his hotel. Stepping to the counter, I inquired of the clerk:

"Has Mr. C. W. Fulton breakfasted yet?"

I heard chairs moving behind me, and Mr. Fulton's voice saying:

"Yes, Doctor, I am here. And don't you know these three gentlemen?" He, with Col. John Adair, and his two brothers, were all having breakfast at the same table, and they urged me to join them. We made a jolly party, all talking Woman Suffrage, as we partook of the morning meal.

I had not seen any of the Adairs for years. General Adair and my father had been warm friends, as Kentuckians can be; and when I was thirteen, John was a large, handsome boy of his age, with the most beautiful curly auburn hair imaginable. I admired, and was quite fascinated with him, then. He came to



my home occasionally with his father. I had attended school with his brothers, S. D. and William Adair, in the sixties.

For General Adair, their father, I always had the most profound admiration, and when, years later, I looked upon his noble face for the last time, as it lay in the casket, I thought I had never seen so beautiful a countenance. To me it was a true index of his honorable and upright life, and it was then, and must ever be, a comfort to me to know that he was always my friend.

“Friend after friend departs;  
Who has not lost a friend?  
There is no union here of hearts  
That finds not here an end.”

## CHAPTER VIII.

Colonel Adair and I were married July 24, 1884, in the First Congregational Church of Portland, Oregon.

The church was filled by the invited guests, a number of whom were from Roseburg, 200 miles distant.

When we left the church, the street was lined on both sides with friends and uninvited people, and when the carriage rolled away, many called out: "Goodbye, Doctor, goodbye!"

We drove to the home of my sister, Mrs. Hyman Abraham, who had prepared a reception for us, after which we boarded the boat for Astoria, and from there to San Francisco.

After a month's absence, we returned to Portland, and I took up my work where I had left it.

More than twenty-one years have passed since I plighted my marriage vows. Many sorrows have been interspersed with the pleasures of my married life, and during all these years, I have been as active and determined as in former days. I have never flinched from any undertaking, and I hope I never shall, to the day of my death; but during these later years, I have often looked back over my past life, not with a shudder, but to gain strength and courage to meet the financial difficulties that had accumulated, and threatened to engulf me.

My yearly income at the time of my marriage was fully \$7,000.

Colonel Adair is an optimist of a happy and cheerful disposition, and, as I have frequently said, he is usually among the clouds, and rarely gets down to terra firma.

There were no dark shadows in his pictures, and my love for him knew no bounds. Soon after our marriage he induced me to invest in a large property, near Astoria, in which he saw millions in the near future.

A large portion of this was unreclaimed tide land. Reclamation at that time was very expensive, and little understood. I was earnestly advised not to invest in the proposition.

At the age of forty-seven I gave birth to a little daughter; and now my joy knew no limit,—my cup of bliss was full to overflowing. A son I had, and a daughter was what I most desired. For her my plans were all made. She should be my constant companion. With her nurse, I would take her on all my

rounds. She should imbibe the love of the profession not only from her mother's milk, but by constant association, as well. She should have all I possessed, and all that could be added.

But ah, how little we mortals know what is in store for us! And how well it is that we do not know. God's ways are not our ways, and they are past our understanding. For three days only, was she left with us, and then my treasure was taken from me, to join the immortal hosts beyond all earthly pain and sorrow.

"There is no flock, however watched and tended,  
But one dead lamb is there.  
There is no fireside, howsoe'er defended,  
But has one vacant chair.

She is not dead, the child of our affection,—  
But gone unto that school  
Where she no longer needs our poor protection,  
And Christ, Himself, doth rule."

My grief was so excessive I felt it was more than I could bear, unsupported by the companionship of my husband, who, with the aid of twenty-five Chinamen, were trying to re-claim the tideland, a task which did seem, as his brother once said, "Like fighting the Pacific Ocean."

So I said to him: "I will go to Astoria, where I can be near you. I can have a practice anywhere, and I cannot endure our separation, now that our baby is gone." I rented a pretty home there, for two years, and money came as usual, until the two years were nearly past, when I was stricken with typhus fever, due to defective drainage. Believing that my time had come, I said: "Bring me an attorney, that I may make my will while my mind is yet clear."

My will was made, but my time had not yet come, and I recovered slowly. My husband now urged me to go to the farm, saying:

"Your health absolutely demands the change. In that pure, fresh air you can soon regain your health and strength. In less than two years railroad trains will be running across our land, and our fortunes will be assured, and you will never need to work again."

In my weakened condition, I consented, and July 1st, 1888, found us on the farm, where we remained eleven years.

Now, as I look back, I realize that that move was one of the greatest mistakes of my life. I soon, however, recovered my health, and accustomed vigor and energy, and was ready for business. During all those eleven years, I carried on my professional work as best I could, in that out-of-the-way place; and at no time did I ever refuse a call, day or night, rain or shine. I was often compelled to go on foot, through trails so overhung with dense undergrowth, and obstructed with logs and roots, that a horse and rider could not get past; and through muddy and flooded tide-lands in gum boots.

A few cases will better illustrate the nature of much of my practice, and the hardships which were entailed upon the physician in that locality.

One day a Mr. William Larsen came, saying: "My wife is sick. Come at once." There was a most terrific southwest storm raging, and we had a mile to go on foot over the tide-land before reaching the Lewis and Clark River. The land was flooded, the mud and slush deep, and the swollen sloughs had to be crossed on logs and planks. Nearly the whole distance was overgrown with enormous bunches of wire-grass, many being three feet across. This long, intertwined grass was a great obstruction to walking, and I fell prone, again and again, before reaching the river. My boots were filled with water, and I was drenched to the skin. The wind was howling, and dead ahead. Mr. Larsen was a powerful man, and a master-hand with the oars. He sprang into the boat, throwing off his hat and two coats, and began to remove his outer shirt, saying: "You must excuse me, Doctor, but if I ever get you there, I shall have to strip near to the skin."

I thoroughly understood the situation, and well knew that the odds were against us; and I fully expected that, notwithstanding his uncommon strength and skill, we would be compelled to land far below our starting point on the opposite side, and be forced to make our way over tide-lands many times worse than that we had already crossed. However, before we had gone many rods from shore, the shrill whistle of his little steam milk-launch was borne to us in that on-rushing storm, and she now came shooting out of the big slough leading to his house, with the terrible storm at her stern forcing her onward.

In his anxiety and distress, Mr. Larsen's first thought was that

his wife was dead, and in the anguish of his heart, with tears streaming over his face, he cried out:

"My God! My God! My wife is dead!"

"No, no! Your wife is not dead," I said. "Captain Johnson has returned from Astoria, and knowing you could not get me there, has come for us." Which proved to be the fact.

As soon as the launch was in hailing distance, he called out:

"How is my wife?"

"A-l-l r-i-g-h-t," instantly came the cheering reply. The sudden reaction of relief came near being too much for that strong man, who had a heart to match his powerful frame.

I had most of the practice in that section, and made many trips to that neighborhood.

One warm day, Mr. Irving Jeffers came rushing up to the house, hat in hand, his forehead and face bathed in perspiration. He said: "My wife is sick; can you come at once?"

He had been running nearly all the way over that same road. The ground was now dry, but the tangled wire-grass was about as difficult to get through as it was in winter. His anxiety was so great, I found it hard to keep up with him, and I fell several times before reaching the river. When nearly there, he ran ahead, and had the boat ready for me to jump in without a moment's delay. It did not take him long to cross that beautiful river, which was then as smooth as glass; then up the Jeffers slough, and to the landing, at the boat-house. The lovely boat-trip had rested me, and I was ready for the short run to the house. As soon as we came in sight of it, however, we saw his mother, Mrs. Elijah Jeffers, on the front porch, who waved her hand and called to us not to run. He forged ahead, however, and was soon at the bedside of his beautiful wife.

His mother came to meet me, saying: "I expect Irving has run you nearly to death. I told him not to hurry you, but he is half beside himself."

The worst storm, without exception, that I ever experienced on Clatsop occurred one dark winter night. It had been raining and blowing fiercely all day, but that night was truly fearful! The wind howled, and shrieked in fury; the house trembled, shook and swayed; the rain fell in a deluge. We could not sleep.

"This is such a night as I might expect a call from Seaside" (fifteen miles distant), I said; "and I feel as if I should be called any minute."

"Well, you'll not go. I'm sure of that," said my husband. I made no reply.

Sure enough, at four a. m. a lantern-light flashed across my window. (It was my custom to raise my window-shade on retiring.) I was out of bed in an instant, hurrying on my clothes. The door-bell rang, and the man said; "The Doctor is wanted at Seaside. I left there at ten last night. The storm has been at my back all the way, but I could not get here any sooner. There are trees down all through the woods. I had to leave my horse half a mile back, and come on on foot. We shall have to cut our way out."

Colonel Adair said: "It is simply impossible for my wife to attempt this trip. It is really dangerous for anyone to be out in the woods in such a storm, with the trees falling all around."

"I promised to go, and I must go," I said. "There is no other doctor nearer than Astoria, and after this storm they might not be able to get one from there sooner than twenty-four to forty-eight hours; so saddle the horse; I will be down to the barn by the time you are ready."

I succeeded in reaching the barn without being blown off my feet, by taking the driveway under the hill. After I was in the saddle, a blanket with a hole in its center was drawn over my head, and its corners, sides and ends made fast to the saddle and cinch. Thus, in true Indian fashion, my wraps were held in place, and I could not be blown off. The messenger and my husband armed themselves with axes and lanterns, and we started for the woods. We found five trees in the road, and after two hours' hard work, we got around and past them. After we got out of the woods, the horses found great difficulty in facing the storm, and my good, sensible old horse wanted to go home. I was so bundled and tied up, I had little control of him, and the messenger had to come back and lead him for some miles. After daylight the storm began to abate, and by ten a. m. it was over, and the sun was shining. We found many more trees across the road, but we finally reached our destination, at eleven a. m., and found the folks anxiously hoping for our arrival, and fearing they would have to dispatch a messenger to Astoria, which would have been a serious undertaking, as the railroad track was, in places, completely blocked with fallen timber.

I quickly relieved their anxiety, and was ready to return as

soon as my horse was fed, and I had had my dinner, not having had any breakfast.

In addition to my professional duties, I worked early and late, in the house, and on the farm. There was little on the farm that I could not do.

In the winter of 1892, during which time my husband made two trips to New York in the interest of the Astoria Railroad, I had full charge of the farm; and often spent from three to seven hours in the day in the saddle looking after the stock. But in time that terrible mental and physical strain began to tell upon me. Rheumatism, which is hereditary in my family, had taken hold of me, and was fast undermining my health.

In the winter of 1898 my husband became alarmed, and begged me to go to North Yakima, Wash., and spend the holidays with my son and his family, in the hope of benefitting my health. I went; and that high altitude, and dry climate acted like magic. In but a few days, I was relieved of rheumatism, and felt twenty years younger.

I now confided my troubles to my son, who said:

"You will die, or be a cripple for life, if you do not get out of that wet climate. Let the old farm go, and come up here. I am sure you can make \$150 a month, and that is better than going behind that much. You ought never to have gone there." All of which I well knew was the truth.

I said: "I will come," and he smiled, for he knew that meant decision.

"Well, mother, I will look out for a house and office for you. Spring opens here by the first of April, and you ought to be here by that time."

"I will be here," I replied. "But I want you to secure me living-rooms in connection with my office. Help cannot be depended upon, and the expense of a separate house would be much greater, and more than I can afford. I shall do my own work, which will be play beside that which I shall be leaving."

My mind being made up, and my plans formed, I felt more buoyant, happy and hopeful than I had for years, for I felt confident that I could now save at least a portion of our properties. I wrote to Colonel Adair saying: "I shall be home soon, and I want you to be prepared for a revelation."

Upon reaching home, I told him: "I have decided to move to North Yakima. We will rent the farm, sell off all the stock,

and pay off as much of the debt as possible. We have three months in which to accomplish this." He regarded me with perfect amazement!

"Well, my dear, I earnestly advise you to think seriously of this before taking such a step. It is a terrible thing to give up our home at our age."

"I cannot feel that in reality we own anything that is covered with mortgages," I answered. "A \$24,000 debt at eight and ten per cent interest will, at no distant time, leave us without a house or home. I shall soon become a cripple if I continue to live in this wet climate. Death, to me, would be preferable. I shall make money, and you ought, with your education, to be able to get into some kind of paying business."

My wishes were carried out to the letter, and April 6th found us in North Yakima, Wash., where, in one week, we were comfortably settled in four lovely rooms.

Three days later I performed a surgical operation for which I received \$100. I found many persons who had seen and heard of me as a physician, and so business came, as in former days.

On the last day of June we started overland to Seaside, Clatsop, Ore., to spend the two hot months near our Sunnymead home. I at once opened my office at this popular summer resort, which brought me in several hundred dollars.

Upon returning to North Yakima, the first of September, I found another \$100 surgical case awaiting me; and thus my business increased.

The following summer, instead of going to Seaside, I went to Chicago, and entered the Chicago Clinical School, for physicians only, and received a post-graduate degree. I found it exceedingly hard attending lectures and clinics from nine till six, and from eight to nine p. m., in that intense Chicago heat, where people were dying frequently from sunstroke. I left home July 1st, and returned September 11th, feeling well repaid, and equipped for going on with my professional work. I had reviewed my past work, and been brought up to date, just what I needed, after those eleven years on the farm.

After another prosperous year, the summer found us again at the seaside, with my sign out. That vacation proved the most profitable of any preceding it, from a money point of view. I was, of course, compelled to remain at my office, except when on professional duty.



As my business increased, I found that my professional, social and household duties were pressing me very hard. I said: "Colonel, I cannot attend to my professional work which must not be neglected, and keep house any longer. You are in no business here, and I think you had better take John and go back to Sunnymead. John's health is poor here, but he will get strong on the farm, for which he is always grieving. If you cannot get into business down there, you can certainly see that the place is kept up. I will stay here until the properties are made self-supporting, and we have a sufficient income to enable us to live comfortably on the farm, and then I shall be glad to retire, and return home."

In June, 1902, he and John went to Sunnymead, and established themselves in our home there. Our renters were living in a cottage at the foot of the hill. I have spent my vacations with them since that time. My mother and niece were with them nearly a year.

Thus, for three and one-half years, I continued on, each year bringing increased rewards, but I was growing tired of that constant, grinding treadmill, not that I was not physically and mentally competent, however. I had more time for reading and writing than I had ever had before, and I improved it. I still took my cold bath every morning, following it with vigorous physical exercise, which kept me in perfect health, and I had a large country practice, which I greatly enjoyed. I had a good horse and buggy, and always did my own driving. It was nothing for me to drive twenty to thirty miles at a time, day or night. I was not at all timid, and I never took my age into account, but my son and good daughter-in-law did. She would say: "Mamma, you are getting too old for that sort of work, and I do not like to see you do it."

"But I am not old, Hattie, mentally or physically. I am strong and healthy; my step is quick and active; and you know I can endure more now than most women of forty-five, and if everybody here did not know I am Dr. Hill's mother, I would not be thought any older."

"But then we know you are."

"Oh, yes, and according to Dr. Osler I ought to have been chloroformed five years ago."

"But, mamma, you have been struggling and toiling all your life, making thousands and thousands of dollars, and denying yourself all the comforts and pleasures of life, when you ought to

have been living off the proceeds of the money you have earned, instead of slaving to pay off miserable debts."

"Yes, that is all true, but what is done cannot be undone. Two years ago I set my stake, as I did in early life, saying: 'When I reach those figures, I will stop. With continued health and strength, I shall be ready to retire in 1906,—perhaps sooner. Then the properties will be self-supporting, and my investments here will return me sufficient income to assure a comfortable support on the farm.'"

That time came, sooner by several months than I had expected, and so, on October 10th, 1905, I closed my office door in North Yakima, where the community had so generously shown their confidence and friendship by giving me their patronage, and paying for my services a sum which amounted, approximately, to \$25,000.

After having received the kindest appreciation from friends, the public and the press, I bade the fair city adieu, and with my good horse, Pride, started in my carriage for The Dalles, much desiring to make the trip overland once more. I took dinner with my esteemed friends, the Hardisons, of Parker, reaching the Simcoe Mountains that evening, where I was kindly entertained by the Jensens; reached Goldendale the next evening, and enjoyed a visit till the afternoon of the following day with my friends, Mr. and Mrs. John Hess. Reaching The Dalles, I took passage for myself and horse on the steamer, enjoying once again that wonderful trip down the Columbia, amid scenery acknowledged to be among the grandest in the whole world. Reached Portland, the metropolis of Oregon, at four p. m. Enjoyed dinner and a short visit with my sisters and nieces, and then boarded the Potter, which landed me in Astoria at seven a. m. Driving to Senator C. W. Fulton's, I breakfasted with them, after which I drove on over to Sunnymeade, and reached there well and happy, having made the journey in four days, collected \$10 of bad debts, and made \$20 more on the way, and having enjoyed the trip exceedingly, notwithstanding the earnest counsel of many that it was too late in the season to cross the mountains,—I was sure to have breakdowns, etc. I knew my good horse, Pride, and I had confidence in myself. It was simply undertaking what I had been doing for years, and was to me a stimulant and rest away from responsibility, sickness and pain. After two months on the farm with Colonel Adair and John, I embarked on the

steamer Roanoke, en route for National City, San Diego County, California, where I now am with my old and much loved friend, Mrs. Inez E. Parker, in January, in her cosy little "Wren's Nest." In this the most beautiful of climates, amid the singing of birds, and the fragrance of flowers, I at last find myself free to take up that work which, for so many years, I had planned to do after my retirement,—write a book on medicine from a woman's standpoint. During the last few years, however, by the advice of friends, and after due reflection and consideration, I have decided that my first effort at book-making should be one of reference to, and records of early events, together with short sketches of the lives of various pioneers of Oregon, especially those of Clatsop County, which was my first, and is to be my last home, and, in addition, a short, plain, truthful story of my own life. In rehearsing it, I have purposely stripped it of the sentiment, love and romance with which my nature has always been supercharged, and which has cheered me on and given me health and happiness throughout a long career. Such are and should be bright and sacred spots in any woman's life, the memories of which can never be obliterated. I have preserved hundreds of pages filled with sentiment, and overflowing with love and adoration, to which I can turn and drink again at the fountain of youth, and mature life. A deathless love for spring-time, the youth of animal and plant-life, is perennial in my heart, and in that sweet season, Sunnymead shall put on her gorgeous robes of beautiful blossoms and shrubs and flowers. The old house shall be renewed and re-dressed, inside and out, and made ready for our friends. My husband loves to entertain; the latch-string of our Sunnymead home shall always be found outside, and plentiful pot-luck within.

In 1888, Dr. Hills' wife died, and I received my then only grand-child, Victor Adair Hill, into my heart and home. Years after, when Dr. Hill married again, I prevailed upon him to allow Colonel Adair and myself to adopt Victor, making him our heir-at-law.

In 1891 I officiated at the birth of a boy whose mother gave me her child. I took the little orphan to my bosom, and gave it a share of my mother-love, and, with my husband's consent, I called him John Adair, Jr. Colonel Adair and I have perpetuated our family name through a plot known as Sunnymead Addition to Astoria. Through the farm and plot run three beautiful

streams, one of which we have named Adair Creek, another Mattie Belle, and the third, Vera Creek.

The longest street is Hill Street; another is called Victor Street.

I hope to live to see my grand-son, Victor Adair Hill, my boy, John, and my grand-daughter, Vera Owens Hill, all grown, and settled in life, before I take my departure.

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